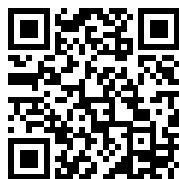

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HARVARD STUDIES
IN
CLASSICAL PHILOLOGY

*EDITED BY A COMMITTEE OF THE CLASSICAL
INSTRUCTORS OF HARVARD UNIVERSITY*

VOLUME XXVI



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PREFATORY NOTE

THESE Studies are published by authority of Harvard University and are contributed chiefly by its instructors and graduates, although contributions from other sources are not excluded. The publication is supported by a fund of \$6000, generously subscribed by the class of 1856.

ALBERT ANDREW HOWARD,	}	EDITORIAL COMMITTEE.
CHARLES BURTON GULICK,		
CARL NEWELL JACKSON,		

CONTENTS

	PAGE
QUO MODO ARISTOPHANES REM TEMPORALEM IN FABULIS SUIS TRACTAVERIT	1
Quaesivit Otis Johnson Todd.	
THE ROMAN MAGISTRI IN THE CIVIL AND MILITARY SERVICE OF THE EMPIRE	73
By Arthur Edward Romilly Boak.	
NOTES ON THE FOURTH AND FIFTH CENTURIES	165
By George W. Robinson.	
SUMMARIES OF DISSERTATIONS FOR THE DEGREE OF PH.D., 1914-15	175
INDEXES	181

QUO MODO ARISTOPHANES REM TEMPORALEM IN FABULIS SUIS TRACTAVERIT¹

QUAESIVIT OTIS JOHNSON TODD

RATIONES rei temporalis tractandae in tragoediis Graecis inde ab Aristotelis aetate perpenderunt multi viri docti, nuperque eadem de re quoad fragmenta Menandri potiora fabulasque Plautinas et Terentianas attinet Aemilius Polczyk disseruit.² Vetus comoedia autem quae cum origine³ tum forma a tragoedia distat nec multo minus et forma et re a comoedia nova dissimilem nobis praebet materiam. Ut tragoediam enim praeteream, vetus comoedia ex iocis iocularibusve scaenis (ut recentiore significatione utar) magnopere pendet, nova potius e tota actione; multa igitur in vetere comoedia ideo dicuntur ut risum spectatoribus moveant potius quam ut veram vitae nostrae praebeant imaginem aut sicut pleraque in nova comoedia cum tota fabula congruant. Accedit autem quod ὑπερβολὰς saepe in verbis temporalibus Aristophanes adhibebat, interdum in actione magicas res. Cavere igitur debet

¹ Haec verbis uno et altero hic illic adiectis vel mutatis vel demptis nec non maioribus quibusdam rebus in melius, spero, reffectis dissertatio est quam ad doctoris philosophiae gradum apud Universitatem Harvardiensem assequendum pridie Kal. April. a. D. 1914 professoribus linguarum antiquarum classicarum obtuli.

Textum Aristophanis quem editores Oxonienses a. 1900 constituerunt secutus sum. Nonnumquam brevitatis causa haec fabularum sigilla adhibui: A E N V P Av. L T R Ec. Pl.

Professoribus Ioanni Williams White atque Cliffordo Herschel Moore hic velim gratias apertius agere, huic quia in tempore criticus benevolus adstitit, illi ut quo duce salibus Aristophaneis iucundum per annum mihi perfrui contigerit et qui adhuc eruditionem suam benigne impertiat.

² *De Unitatibus et Loci et Temporis in Nova Comoedia Observatis*; dissertatio, Vratislaviae, 1909.

³ Arist. *Poet.* 1449^a9 seq. affirmat: . . . γενομένη οὖν ἀπ' ἀρχῆς αὐτοσχέδιαστικῆς καὶ αὐτῇ (sc. ἡ τραγῳδία) καὶ ἡ κωμῳδία καὶ ἡ μὲν ἀπὸ τῶν ἐξαρχόντων τὸν διθῆραμβον ἡ δὲ ἀπὸ τῶν τὰ φαλλικά κτῆ.

lector veteris comoediae ne in vitium incidat dum nimiam veritatem a poeta exigit; forsitan infacetos etiam hoc quam maxime cavere conantes Aristophanes iudicaverit.

Verum utut haec se habent, temptabimus pro virili parte rationes exponere quas Aristophanes in re temporali tractanda adhibuerit. Quo in negotio in animo habeo e verbis Aristophanis ipsius de hac re sententiam ferre. Si quid enim extra scaenam agi fingit quod re vera diebus aliquot ad perficiendum egeat sed in scaena ipsa continuam interim praebet actionem nequeo egomet dicere eum temporis tantum intervallum spectatoribus in mentem venire voluisse; praesertim cum ignotum non sit antiquis poetis scaenicis minus ad unguem quam nostratibus apparatus omnem coloris, soni, formae in scaena repraesentare curae fuisse. Ubi igitur ab Aristophane penitus de tempore siletur ego affirmare nolo; verum quae de tempore non per iocum dicuntur haec pro indicio bono habeo.

I

Primum igitur analysin (si licet Graeco verbo utar) fabularum eiusmodi instituiam ut quantum temporis dramatici¹ in singulis fabulis posuerit perspicuum sit; quo clarius id fiat prius examinandum est et tempus diei quo initia fabulae capiant et intervalla quae per fabulas poeta fingit intercedere et tempus in quod fabulae desinunt.

A

Imprimis autem eas exponam quae unitatem temporis non observant.

1. *Plutus*

A fabula *Pluto* igitur exordiamur, quae ut parcius chori officium retinet ita liberius nos de temporis spatio iudicium ferre sinit. Temporis autem diei quo fabula *Plutus* incipit nullum est indicium; sane diu Chremylus, Cario, Plutus ambulavisse videntur Delphis

¹ Verbum "dramaticum" quam "scaenicum" idcirco mallet dicere ut eodem modo tempus nominetur quo res quae in fabula ipsa agitur; quominus autem verba "res scaenica" ad id adhibeam eo impediatur quod iam pridem iis viri docti significant ea quae ad modum fabulae in theatro agenda pertinent. Verba igitur "tempus dramaticum" et "res dramatica" usquequaque in hac dissertatione inveniuntur.

usque Athenas,¹ Carioque saltem nequire apparet diutius se a iurgio continere.

Chremylus vss. 231-3 dicit hodie se a Pluto locupletandum esse:

ἡ γὰρ οἰκία
αὐτῇ 'στὶν ἦν δέῃ χρημάτων σε τήμερον
μεστὴν ποιῆσαι καὶ δικαίως κἀδίκως.

Id quod evenisse apparet dum Chremylus et Plutus intra aedes² inter vss. 252 et 322 sunt; certe rumor de Chremyli divitiis hoc intervallo per tonstrinas delatus est; cf. enim quae vss. 337-9 Blepsidemus nuntiat:

καίτοι λόγος γ' ἦν νῆ τὸν Ἡρακλέα πολὺς
ἐπὶ τοῖσι κουρείοισι τῶν καθημένων
ὥς ἑξαπίνης ἀνὴρ γεγένηται πλούσιος.

Interea autem aliud extra scaenam agitur; nam Cario vss. 222, 223-6, 229 iussus festinanter agrestes Chremyli amicos arcessere vs. 253 ut chorum eos inducit. Etiam si non nimis verbo πάλαι inniti possumus ut quo saepius καθ' ὑπερβολὴν Aristophanes utatur³ tamen e vss. 257-8, 261 statuere licet poetam satis longum tempus eos trivisse spectatoribus significare voluisse.

Inter vs. 252 cum Chremylus Plutum domum introduxit et 332 cum Blepsidemus in scaenam festinat, dum chorus parodo vss.

¹ Delphis eos profectos esse et ex vss. 8-13, 16, 32-44, 212-3, 356-8 elucet et ex eo quod adhuc carnem coronamque gerit Cario (cf. vss. 21, 22, 227 et Rogersi notam p. 2 editionis suae); scaenam in Attica esse locatam constat, et quidem in urbe Athenis statuunt Van Leeuwen, Rogers, White, neque, ut opinor, immerito; non tamen abnuendum est e vss. quibusdam colligi posse de regione rustica fortasse poetam cogitavisse; cf. enim vss. 69-70:

ἀναβῆς γὰρ ἐπὶ κρημὸν τιν' αὐτὸν ἀπολιπὼν
ἄπειμ' ἰν' ἐτραχηλισθῇ πεσών,

item vss. 223-4, 253-4, 322 unde agricolae apparent Chremyli amici esse; nec non quae Plutus oculis refectis vss. 771-3 dicit:

καὶ προσκυνῶ γε πρῶτα μὲν τὸν ἥλιον
ἔπειτα σεμνῆς Παλλάδος κλεινὸν πέδον
χώραν τε πᾶσαν Κέροπος ἢ μ' ἰδέετο.

Num, id quod Rogersio placet, histrio sub arce declamans verbo πέδον de illa utebatur?

Quorsum autem pertineat scaenae cognitio p. 4 et n. 4 s.f. ostenditur.

² Cf. 249 seq.

³ Cf. *Vesp.* 825, *Av.* 49, 1641, *Plut.* 1039, alibi.

253-321 perfecta inter vss. 321 et 322 saltat, temporis dramatici tantum intercessit ut volgus in tonstrinis de Chremyli divitiis¹ audiret. Quocum intervalli indicio consentit vs. 410 ubi Chremylus de consilio refert quod iam dudum inierit.² Sed nondum fines diei unius fabulam excessisse vel e. vs. 344 manifestum est: Chremylus enim ἀμεινον, ait, ἡ χθὲς πράττομεν. Et repentinum totum negotium visum esse indicatur vss. 336: πεπλούτηκ' ἐξαπίνης, 339: ὡς ἐξαπίνης ἀνὴρ γεγένηται πλούσιος, 353-4: τό τε γὰρ ἐξαίφνης ἄγαν οὕτως ὑπερπλουτεῖν, nec non vss. 377-8:

Βλ. ὦ τᾶν ἐγὼ τοι τοῦτ' ἀπὸ σμικροῦ πάνν
ἐθέλω διαπράξαι πρὶν πιθέσθαι τὴν πόλιν.

Post vs. 626³ tandem Chremylus una cum Blepsidemo et Carione deum ad Atheniense⁴ Aesculapi fanum abducit ut ex oculorum morbo convalescat.

¹ Cf. vss. 337-9, 346. At nihil de Pluti adventu cognoverant; cf. vss. 391-7.

² Cf. vss. 94-6, 112-116.

³ Hoc in animo se habere iam vss. 95, 114-116, 126, 208-217, 400-2, 410-12 ostenderat; atque vs. 414 conatus Plutum abducere a Penuria impeditus erat quominus hoc perficeret.

⁴ Urbanum existimo esse templum quod iam anno 420-19 a. C. ex inscriptione (*I. G. II.* 1649; cf. quae A. Körte, *Ath. Mitt.* xviii, 1893 et xxi, 1896 scribit; Dragoumis, *Ἐφ. Ἀρχ.* 1901; Micheli *Recueil d'Inscriptions Grecques suppl.* 1529) constat Athenis fuisse. Boissonade (cf. Blaydesi n. ad *Plut.* vs. 621), Marindin (*Cl. Rev.* 1898, p. 208), Körte (*Ath. Mitt.* xviii, p. 250, n. 2), Van Leeuwen (ad *Plut.* vs. 621) censent fanum in Piraeo situm Aristophanem significasse; Rogers (ad *Plut.* vs. 621), fanum Aegineticum; scholiastes, urbanum. Priores illi ob marinam lavationem (cf. vss. 653-8) prope mare putant fanum necessario fuisse; non enim consentaneum esse poetam qui marinam lavationem statuerit, senem in fano urbano quinq̄ue fere milibus passuum a mare distante accumbere voluisse. Igitur Piraeum templum illi indicant esse, Rogers Aegineticum quia Piraeum celebre fuisse non videatur.

At ὅσπερον πρότερον videntur mihi facere qui lavatione illa innixi fanum aliquod prope a mare situm iudicant esse. Consideremus enim quo pacto Aristophanes fabulam meditans de hoc fano cogitaverit. Primum ergo ita scripsit (vss. 410-12):

Χρ. μὰ Δί' ἄλλ' ὅπερ πάλαι παρσκευαζόμεν
ἐγὼ, κατακλίνει αὐτὸν εἰς Ἀσκληπιοῦ
κράτιστόν ἐστι.

Mera fani mentio hic fit, nihil dictum est de Aegina, nihil de Piraeo, nihil de mare. Iterum vss. 620-1:

Vs. 627 Cario in scaenam regressus nuntiat deum esse sanatum.¹ Inter vss. 626 et 627 autem dum choreutae saltant noctem paulo plus intercessisse fingit Aristophanes. Nam vss. 653 seq. Cario postquam narravit lavatione marina sacrificioque confectis, Pluto ceterisque in somnum dispositis, lucernis extinctis Aesculapium ipsum aegrotos curavisse, quo manifestius pateat per noctem haec transacta esse vss. 742-4 adicit:

οἱ δ' ἐγκατακείμενοι
τὸν Πλούτον ἡσπάζοντο καὶ τὴν νύχθ' ὄλην
ἐγρηγόρεσαν ἕως διέλαμψεν ἡμέρα.

Secundo igitur die nunc versamur; verum prima fere luce esse conicere licet: deus enim noctu sanatus nunc primum multa gratulantium caterva comitante e templo redit² nec procul abest.³

Χρ. ἐγὼ δὲ καὶ σύ γ' ὡς τάχιστα τὸν θεὸν
ἐγκατακλιούνη' ἔγωμεν εἰς Ἀσκληπιοῦ

fanum solum commemorat sicut etiam Xenophon *Mem.* 3, 13, 3 (τὸ ἐν Ἀσκληπιοῦ) ac Theophrastus *μικροφιλοτιμίας* §10 (ἐν τῷ Ἀσκληπιεῖ), quasi nomine tantum locus facile intellexeretur. Lavationis autem illius vss. 653 seq. demum mentionem facit cum post remedium effectum de variis eius partibus Cario narrat. Etsi igitur complura Aesculapi fana in Graecis urbibus exstabant Aristophanes cum primum meditabatur εἰς Ἀσκληπιοῦ modo scripsit.

Nec praetereundum esse videtur id quod vss. 624-5 poeta adiecit:

παῖ Καρίων τὰ στρώματ' ἐκφέρειν σ' ἐχρήν
αὐτὸν τ' ἔγειν τὸν Πλούτον ὡς νομίζεται.

Non enim *θεραπεύειν* dicit sed *ἔγειν* ὡς νομίζεται. Num mos fuit Atheniensium — siquidem in hac re ullum certum observabant morem — ut Aeginam inve Piraeum aegrotos ducerent curandos cum iam triginta duos annos tam celebre fanum ipsi habebant?

Et quid spectatores? Meminerimus complures eorum in theatro adsedentes magnum hoc Aesculapi templum in arcis clivo tam diu situm iuxta theatrum intrui potuisse; cum igitur histrio primum modo Plutum εἰς Ἀσκληπιοῦ obdormitum inducendum elocutus est nonne de hoc templo cogitavissent? Et cum paulo postea eadem fere iteravit nonne etiam firmius hoc cogitavissent, ut cum denique de lavatione illa redituque in templum narratur minime eis mirabile videretur? Sane si Aristophanes aliud templum significasset quam quod spectatores facile potuerunt suis ipsorum oculis conspiciere debebat certius id nominare.

Cum igitur urbanum videatur significasse templum et supra (p. 3) viderimus scaenam Athenis esse, breve iter Chremylo ceterisque esse conficiendum iudicemus oportet.

¹ Vss. 633-6; cf. 738, 746.

² Cf. vss. 742-4, 749-53, 757-9, 782-7.

³ Cf. vs. 767: ὡς ἄνδρες ἐγγύς εἰσιν ἤδη τῶν θυρῶν.

Post chori saltationem quae inter vss. 770-1 intervenit in scaenam Plutus intrat, vs. 801 in Chremyli domum. Hactenus igitur non multum temporis post Plutum sanatum praeteriit.

Et cum Cario vs. 802 post chori saltationem in scaenam ingressus domum bonis repletam esse eloquitur rem ita similem nostris magicis fabulis esse sentimus ut tempus certum ad id efficiendum haud requiramus; tamen intervallum aliquantum intercessisse Cario docet cum vss. 816-8 tamquam de usitatis dicit:

στατήρσι δ' οἱ θεράποντες ἀρτιάζομεν
χρυσοῖς ἀποψώμεσθα δ' οὐ λίθοις ἐτι
ἀλλὰ σκοροδίους ὑπὸ τρυφῆς ἐκάστοτε.¹

Sed adhuc postridie esse eius diei quo Chremylus Plutum Athenas secutus est e verbis delatoris vs. 882 patet: ἐχθές δ' ἔχοντ' εἰδόν σ' ἐγὼ τριβώνιον.²

Etsi autem delator vs. 850³ et vss. 856-8 et anicula vss. 967-9⁴ et Cario vs. 873⁵ quasi de longo temporis spatio loquuntur tamen manifestum est καθ' ὑπερβολὴν eos loqui;⁶ nam et anus vs. 1046 confitetur etiam heri sibi bene fuisse et delator vs. 882 heri se iustum illum virum vidisse adhuc pannos gerentem.

Cum autem per reliquam fabulam anus haec sive in scaena seu in Chremyli domo versetur iuvenem captans verisimile videtur esse Aristophanem quae supersunt omnia intra hunc diem peragi sibi animo finxisse.⁷

¹ Cum hac temporis ratione convenit sacrifici sumptuosi comparatio (cf. vss. 819-22).

² Quod iustus vir vs. 937 *ἱερὸν γάρ ἐστι τοῦ Πλούτου πάλαι* respondet superlatio-
tionis instar est sicut saepe in verbo πάλαι.

³ οἱμοὶ κακοδαίμων ὡς ἀπόλωλα δέλαιος.

⁴ πέπονθα δεινὰ καὶ παράνομ' ὦ φίλτατε,
ἀφ' οὗ γὰρ ὁ θεὸς οὗτος ἤρξατο βλῆκεν
ἀβίωτον εἶναι μοι πεποίηκε τὸν βίον.

⁵ δῆλον ὅτι βουλιμῶ.

⁶ Plus quam verum rursus vs. 1039 dicit illa anus:

οὐπερ πάλαι κατηγοροῦσα τυγχάνω,

tantum enim a vs. 975 iuveni maledicere inceperat. Item iuvenis vs. 1055 καθ' ὑπερβολὴν verba διὰ χρόνου usurpat: verius enim vs. 1043 *πολιὰ* inquit *γεγένησαι ταχὺ γε νῆ τὸν οὐρανόν*.

⁷ Eodem fortasse pertinet mentio arae aedificandae vss. 1191, 1197-8; hanc enim eodem die putares aedificari quo deus domum Chremyli sanatus inierat.

Quocum discrepare primo quidem aspectu videntur ea quae Hermes sacerdosque affirmant; ille enim vss. 1113-23¹ veluti de longiore temporis intervallo dicit:

. . . ἀφ' οὗ γὰρ ἤρξατ' ἐξ ἀρχῆς βλέπειν
ὁ Πλούτος, οὐδεὶς οὐ λιβανωτόν, οὐ δάφνην,
οὐ ψαιστόν, οὐχ ἱερεῖον, οὐκ ἄλλ' οὐδὲ ἐν
ἡμῖν ἔτι θύει τοῖς θεοῖς . . .
. . . ἐγὼ δ' ἀπόλωλα κάπιτέτριμμαι . . .
πρότερον γὰρ εἶχον μὲν παρὰ ταῖς κατήλυσιν
πάντ' ἀγάθ' ἔωθεν εὐθὺς . . .
νυνὶ δὲ πεινῶν ἀναβάδην ἀναπαύομαι.

Sacerdos autem vss. 1173-4 locutus:

ἀφ' οὗ γὰρ ὁ πλούτος οὗτος ἤρξατο βλέπειν
ἀπόλωλ' ὑπὸ λιμοῦ

vss. 1177-84 haec adicit:

θύειν ἔτ' οὐδεὶς ἀξιοῖ.
ὅτι πάντες εἰσὶ πλούσιοι. καίτοι τότε
ὅτ' εἶχον οὐδέν, ὁ μὲν ἂν ἦκων ἔμπορος
ἔθυσεν ἱερεῖόν τι σωθῆς . . .
. . . νῦν δ' οὐδὲ εἰς
θύει τὸ παράπαν οὐδέν οὐδ' εἰσέρχεται
πλὴν ἀποπατησόμενοί γε πλεῖν ἢ μύριοι.

Atqui nihil de temporis processu afferunt; de mutatione potius rerum queruntur. Et delatorem, anum, Hermen, sacerdotem quippe qui repentina clade affecti sint *κωμικῇ ὑπερβολῇ* uti cum de se ita queruntur et per se ipsum consentaneum est et inde quia iam antea in aliis fabulis tales ut dolosos avarosque Aristophanes irriserat.² Huc accedit quod et Hermes et sacerdos hoc die a mane usque in vesperum nihil cibi ceperunt;³ esurientes in maius conqueruntur.

Atque alio pacto probatur eam partem fabulae quae vss. 959-1209 continetur eodem die omnem peractam esse. Nam in ea parte quae e vss. 959-1006 constat iam de iuvene veluti comissa-

¹ Cf. 1126, 1128, 1130, 1132.

² Cf. *Ach.* 818 seq., 910 seq., *Pac.* 180 seq. praesertim 192-4, 362-79, *Av.* 1410 seq., *Eccles.* 877 seq.

³ Vesperum nunc adesse mox manifestum reddetur.

tum eunte¹ audimus qui coronam facemque gerens et ebrius incedat.² Iam igitur vesperi est. Iterum vero de facibus ultima in parte fabulae monemur,³ nec indicium ullum obstat quin de eodem vespere agi putemus.

In hac igitur fabula tum cum chorus iam evanescebat duos dies dramatici temporis Aristophanes posuit dum initium incerto tempore prioris diei sumit esse, exitum vesperi diei alterius, noctem inter vss. 626 et 627 intercedere.

2. *Nubes*

Verum iam ante compluribus annis in fabula *Nubibus* idem fecerat tum cum chorus adhuc florebat. Cuius fabulae initium tempore diei certo posuit, exitum incerto.

Incipit enim haec fabula ante primam lucem vicesimo mensis die; cf. enim vss. 16-17:

Στ. ἐγὼ δ' ἀπόλλυμαι
ὄρων ἄγουσαν⁴ τὴν σελήνην εἰκάδας.

Lunam scilicet Strepsiades mane expectatus dicit se videre ultimos undecim mensis dies (*εἰκάδας*) inducentem; quo manifestum fit nunc matutinum tempus esse vicesimo mensis die.

Porro multa de nocte fabulam initium capere patefit e vss. 1-5, 8-12, 17, 18-20, 25-8, 32, 35-9, 56-7, 75-9, quibus docemur iam gallum cecinisse, servos et Phidippiden adhuc dormire, lunam conspici, lucerna opus esse ad tabulas legendas.

Hinc Strepsiade usque in scaena manente actio sine intermissione per vs. 509 decurrit. Dum autem parabasin chorus vss. 510-626

¹ Vss. 1040-1.

² Cf. vss. 1041, 1048, 1052, 1089.

³ Vs. 1194.

⁴ Hoc verbum Humphreys (n. ad vs. 17) non "inducentem" interpretatur sed "driving along," id est, "rapientem," "urgentem," quasi "*βίη τὰχὺ ὀκνεῖται*." Quae significatio ut non alias apud Aristophanem invenitur ita neque usquam in litteris Graecis, si exemplis in Stephani *Thesouro* allatis confidendum est (licet ex quibusdam locis editores huius operis paene eam significationem sumpserint); neque hic, opinor, coniecta esset nisi posthac (vss. 1131 seq.) seriore mensis die versaremur ac de unitate temporis in comoediis conservanda iam praeiudicatum esset.

Similiter R. G. Kent ("The Time Element in the Greek Drama," in *Trans. of the Am. Philol. Assoc.*, vol. xxxvii, 1906, pp. 39-52) censet; dicit enim p. 48: "at 17 we learn that it is past the twentieth of the month."

canit Strepsiades in Socratis ludo tempus plusculum moratur, ut e vss. 627-31 conicias:

Σω. μὰ τὴν Ἀναπνοὴν μὰ τὸ χάος μὰ τὸν Ἀέρα
οὐκ εἶδον οὕτως ἄνδρ' ἐγροικον οὐδένα
οὐδ' ἄπορον οὐδέ σκαῖον οὐδ' ἐπιλήσιμονα
δοῖς σκαλαθυρμάτι' ἄττα μικρὰ μανθάνων
ταῦτ' ἐπιλέλυσται πρὶν μαθεῖν.

Hactenus vero omnia uno die acta sunt; in reliqua fabulae parte tempus quinque aut sex diebus serius repraesentari e vss. 1131-4 patet:¹

Στ. πέμπτη, τετράς, τρίτη, μετὰ ταύτην δευτέρα,
εἴθ' ἦν ἐγὼ μάλιστα πασῶν ἡμερῶν
δέδοικα καὶ πέφρικα καὶ βδελύττομαι,
εὐθὺς μετὰ ταύτην ἔσθ' ἔνη τε καὶ νέα.

Strepsiades videlicet secum reputans quantum "tristes Kalendae" absint, dies reliquos digitis enumerans, abs τῇ πέμπτῃ incipit qui dies vicesimus sextus mensis est; initium autem fabulae supra vidimus vicesimo die mane fuisse. Si igitur verbo πέμπτῃ hunc ipsum diem significat quo nunc versatur sex dies iam praeteriere post fabulae initium.² Quod intervallum inter vss. 1114-1131 incidisse necesse est dum chorus iudices aliquid monent; ante enim eos versus nulla prorsus fuerat occasio.³

Quocum congruit pallor reliquusque habitus⁴ quem Phidippides

¹ Fore ut exitus fabulae intervallo longiore ab initio distaret iam vs. 865 praemonitum erat, ubi Phidippides dolorem paenitentiamque patris sui, vss. 1321 seq. eventuram, praesagit; ἥ μὲν enim ait σὺ τοῦτοις τῷ χρόνῳ ποτ' ἀχθεῖς. Eo pluris momenti sunt haec verba quoniam plerumque verbo τήμερον apud Aristophanem minitabundi utuntur (cf. *N* 1307, 1491, *Av.* 1045, 1465) etiamsi in nihil minae eventurae sunt (cf. *V* 643, 941, *P* 243, *L* 685, *T* 729, *R* 577, *Pl.* 433, 947 nec non *E* 68, *N* 699, *Ec.* 1021). Semel alibi τῷ χρόνῳ persona dicit minitans, idque de malo post fabulam finitam eventuro (*N* 1242).

² Sin — id quod minus est veri simile — a crastino die numerare exorditur quinque dies praeterierunt.

³ Ergo verbum ἀότως vs. 1149 negligentius de scaenica repraesentatione potius quam de tempore dramático adhibuit.

⁴ Cf. vss. 1171-6:

Στ. ὡς ἤθεμαί σου πρῶτα τὴν χροῶν ἰδῶν
νῦν μὲν γ' ἰδεῖν εἰ πρῶτον ἐξαρηνηκός . . .
. . . ἐπὶ τοῦ προσώπου τ' ἐστὶν Ἀττικὸν βλέπος.

Cf. etiam quae ipse Phidippides tamquam de longiore in schola mora vs. 1404 ait: γνώμαις δὲ λεπταῖς καὶ λόγοις ξύνειμι καὶ μερίμναις.

in schola Socratica nactus erat. Adde quod satis in sophistico illo ludo didicerat; cf. vss. 1148 seq:

Στ. καὶ μοι τὸν υἱὸν εἰ μεμάθηκε τὸν λόγον
ἐκείνον εἰφ' ὃν ἄρτιως εἰσήγαγες.

Σω. μεμάθηκεν. Στ. εἰ γ' ὧ παμβασιλῆι Ἀπαιῶλη.

Σω. ὥστ' ἀποφύγοις ἂν ἦντιν' ἂν βούλη δίκην.

Vs. 1302 Strepsiades domum intrat cum filio inter vss. 1302 et 1321 cenaturus;¹ dum intus illi convivantur chorus non ut Phidippides ante illud sex dierum intervallum τῷ χρόνῳ ποτ' elocutus erat sed hodie in malum aliquod Strepsiaden incasurum esse vss. 1307 seq. praedicunt:

κούκ' ἔσθ' ὅπως οὐ τήμερον
λήψεται τι πρᾶγμ' ὃ τοῦ-
τον ποιήσει τὸν σοφιστήν . . .
. . . 'ξαίφνης λαβεῖν κακὸν τι.²

¹ Cf. vss. 1212, 1354.

² Fr. Krause in dissertatione cui titulus inscriptus est: *Quaestiones Aristophaneae Scaenicae* (Rostochii, 1903), pp. 32 seq. difficultatem hic eruit quae vana mihi videtur esse. Dicit enim: "v. 1131 sqq. videmus nunc esse vicesimum sextum mensis diem, tricesimo pecuniam mutuam datam reddendam aut faeneratores nisi pecuniam acceperint in ius Strepsiadem vocaturos esse. V. 1214 Pasiās, v. 1258 Amynias Strepsiadis domum adeunt ut tricesimo mensis die pecuniam repetant. . . . Ex quibus apparet inter v. 1213 et 1214 tempus quattuor dierum intercedere. . . . Sed difficultatem praebent v. 1213 et v. 1254 comparati. Quamquam enim inter v. 1213 et 1214 quattuor dies intercessisse modo vidimus, e v. 1354 apparet eundem ac v. 1213 et antecedentibus esse, cum v. 1213 Strepsiades filium in domum ducat ut cum eo cenet, in cenando a filio verberetur. . . . Quattuor dies intercessisse non ante v. 1213 docet v. 1149 vox 'ἄρτιως.' Quae discrepantia ita explicari potest ut Aristophanes temporis veri similitudinem neglexerit." At animo miscere videtur Krause pignoris depositionem atque id quod πρόσκλησις Graece vocatum ante eveniebat quam pignora deponerentur. G. Gilbert enim in opere suo quod vocatur *Handbuch der Griechischen Staatsalterthümer*, vol. I³, pp. 456-7 haec statuit: "Der regelmässige Processgang, welcher bei der öffentlichen und privaten Klagen ziemlich gleichartig war, begann mit der Vorladung (πρόσκλησις) des Beklagten durch den Kläger, welcher dabei gewöhnlich von zwei Ladungszeugen (κλητῆρες) begleitet war. . . .

"Nahm die zuständige Behörde die Klage an, so wurden zunächst die Gerichtsgebühren erlegt. Dieselben hiessen bei privaten Rechtshändeln *πρυτανεία*."

Quae recordantibus manifestum fit rem nobis in Nubibus cum πρόσκλησει illa esse, non cum πρυτανείων θέσει. Pasiā enim ideo potissime intrat quo clarius

Cf. etiam 1311 seq:

οἶμαι γὰρ αὐτὸν αὐτίχ' εὐρήσειν ὅπερ
πάλαι ποτ' † ἐπέζητει †
εἶναι τὸν υἱὸν δεινὸν οἱ
γνώμας ἐναντίας λέγειν

ubi iterum verbis *πάλαι ποτ'* quae ad initium fabulae referuntur Aristophanes videtur intervallum dierum aliquot inter initium exitumque fabulae cogitare, sicut de hoc eventu vs. 865 Phidippides vaticinatus erat:

ἦ μὴν σὺ τούτοις τῷ χρόνῳ ποτ' ἀχθέσει.

Dum chorus vss. 1303-1320 canticum agunt Phidippides paterque rem intra aedes cena¹ sermonibus² carminibus³ rixa⁴ proelio⁵ inter se gerunt. Utrum autem hoc convivium sero diei fuerit ut consuetudo ferebat necne nihil est indicii.

comperiat quid in animo habeat Strepsiades, ac nisi debitam pecuniam solvere constituerit *προσκαλούμενος*. Cf. enim vss. 1243-4:

ἀλλ' εἴτ' ἀποδώσεις μοι τὰ χρήματ' εἴτε μὴ
ἀπόπεμψον ἀποκρινόμενος.

Et vss. 1217-25, praecipue vss. 1218: *ἔλκω σε κλητεύσοντα* et 1220-2:

ἀτὰρ οὐδέποτε γε τὴν πατρίδα καταισχυνῶ
ζῶν, ἀλλὰ καλοῦμαι Στρεψιάδην . . .
ἐς τὴν ἔτην τε καὶ νέαν.

Procul dubio in tempus futurum spectant haec verba; cf. etiam ea quae Pasia vs. 1242 minatur: *ἦ μὴν σὺ τούτων τῷ χρόνῳ δώσεις δίκην*, quasi modo initium fecerit Strepsiadae lacessendi. Necdum *τὰ πρυτανεία* deposuisse Pasiā e vss. 1254-5 cognoscitur:

Πα. ἀπειμι, καὶ τοῦτ' ἴσθ' ὅτι

θήσω πρυτανεῖ' ἢ μηκέτι ζῶην ἐγώ.

Nunc igitur *προσκαλεῖται* Strepsiaden posthac *τὰ πρυτανεία* depositurus. Nec minus certe Amynia de *προσκλήσει* non de pignorum depositione agit; vss. 1277-8 enim sic monet Strepsiaden:

σὺ δὲ νῆ τὸν Ἑρμῆν προσκεκλησέσθαι γέ μοι (δοκεῖς)
εἰ μὴ 'ποδώσεις τὰργύριον.

Cum igitur pignora tricesimo mensis die minati essent se posituros (cf. vss. 1179-80), ante autem quam id facerent *προσκαλεῖσθαι* Strepsiaden deberent, id quod nunc faciunt, nihil causae est quin credamus adhuc vicesimum sextum esse mensis diem.

¹ Cf. vs. 1354.

⁴ Cf. vss. 1373-5.

² Cf. vss. 1357-70.

⁵ Cf. vss. 1375-6, 1379, 1385-90.

³ Cf. vss. 1371-2.

Quod reliquum fabulae est sine intermissione ad finem decurrit.

Fabula igitur Nubes quae initium ante primam lucem vicesimi mensis diei cepit, intervallo sex dierum vss. 1115-30 dum parabasis altera cantatur interiecto, in incertum tempus — fortasse tamen vesperum — vicesimi sexti mensis diei desinit.

3. *Lysistrata*

Nubium similis est fabula *Lysistrata*.

Initium enim capere videtur haec fabula ante solis ortum;¹ cf.

vss. 13-15:

εἰρημένον δ' αὐταῖς ἀπαντᾶν ἐνθάδε
βουλευσομένασιν οὐ περὶ φαύλου πράγματος
εἴδουσι κούχ ἤκουσιν,

vs. 18: ἡ δ' οἰκέτην ἡγείρεν,

vs. 72: μόλις γὰρ εὖρον ἐν σκότῳ τὸ ζῶνιον,

vss. 327 seq.:

Χοῦ. νῦν δὴ γὰρ ἐμπλησαμένη τὴν ὕδριαν κνεφαλα
. . . φέρουσ' ὕδωρ βοηθῶ.

Tempus autem serius eo quod *δρθρος* nominabatur² vss. 59-60 poeta ioculariter docet se in animo habere:

¹ Potius quam post solis ortum, id quod van Leeuwen, ed. 1903, proleg. p. ix censet.

² Congruens crediderim hoc loco verba *δρθρος* et *ἔως* quae aliquotiens in hac dissertatione versabuntur semel definire.

"*Ορθρος* igitur et *ἔως* sic a Phrynicho, *Soph. Praef.* (in Bekk. *Anecd. Gr.* I. p. 54) definiuntur: *δρθρος* μὲν γὰρ ἐστὶν ἡ ὥρα τῆς νυκτὸς καθ' ἣν ἀλεκτρυόνες ἔδουσιν· ἔρχεται δὲ ἐν αὐτῇ ὥρας καὶ τελευτᾷ εἰς διαγελῶσαν ἡμέραν· τεκμήριον δὲ· ὀρθρεῖσθαι γὰρ καλοῦσιν οἱ Ἀττικοὶ τὸ λύχνῳ προσκείσθαι πρὶν ἡμέραν γενέσθαι . . . ἔως δὲ τὸ ἀπὸ γελῶσης ἡμέρας ἄχρις ἡλλου ἐξέχοντος διάστημα . . . μέσα δὲ νύκτες· καὶ τοῦντεῦθεν ἀλεκτρυόνες ἔδουσιν, ὃ λέγεται *δρθρος*. Et Hesychius dicit: *ἔως*· ἡ πρὸ τῆς τοῦ ἡλλου ἀνατολῆς ὥρα.

Herodotus quidem 3, 104 de sole iam *ἔωθεν* aliquamdiu fulgente scribit: *θερμότητος δὲ ἐστὶ ὁ ἥλιος τοῦτοις τοῖσι ἀνθρώποις (τοῖς Ἰνδοῖς sc.) τὸ ἔωθινόν, οὐ κατὰπερ τοῖσι ἄλλοιςι μεσαμβρίης ἀλλ' ὑπερτείλας μέχρι οὐ ἀγορῆς διαλύσις . . . ἀποκλιναμένης δὲ τῆς μεσαμβρίης γίνεταί σφι ὁ ἥλιος κατὰπερ τοῖσι ἄλλοιςι ὁ ἔωθινός.*

Attici tamen Aristophanis fere coaequales sicut a Phrynicho notatum est verbo *δρθρος* tempus noctis quo primum diluculum fit significasse videntur, verbo *ἔως* tempus modo ante solis exortum. De Thucydide qui pluries *ἔμα ἔφ* res geri scribit difficile est affirmare nisi quod *δρθρον* ante *ἔω* ostendit 6, 101, 3: *αὐτοὶ δὲ περὶ δρθρον καταβάντες . . . αἰροῦσιν ἔμα ἔφ* . . . Cf. autem Plat. *Leg.* 808C et 951D

. . . ἀλλ' ἐκεῖναί γ' οἷδ' ὅτι
ἐπὶ τῶν κελήτων διαβεβήκασ' ὀρθραί.

*Ἔωθεν igitur incipere hanc fabulam non est veri dissimile.

ubi apparet *ὄρθρος* paulum diei habere, minimum tamen; ita *Prot.* 310 A seq., 311 A; *Critonis* 43 A, 44 A; *Phaed.* 59 D. Aeneas quoque *Tacticus* 6, 6 cum scripserit: πέμπτεν δὲ ἐκ τῆς πόλεως τοὺς ἡμεροσκόπους ὄρθρου ἢ ἔτι νυκτός, ὄρθρον aliquid diei complecti facit.

Ipse autem Aristophanes verbo *ὄρθρος* septies (forsitan octies) utitur, nempe *A* 256, *V* 216, 772? *Av.* 496, *L* 966, 1089, *Ec.* 20, 462; verbo *ὄρθριος* sexies: *Av.* 489, *L* 60, *Ec.* 283, 377, 526, 741; verbo *ἔως* ter: *V* 366, *Ec.* 85, 312; verbo *ἔωθεν* septies: *A* 278, *N* 1195, *Av.* 147, 1287, *T* 375, 494, *Pl.* 1121; verbo *ἔωθινός* bis; *A* 20, *T* 2. Ex quibus locis etsi plerique nihil certi afferunt tamen e sequentibus enucleari potest *ὄρθρον* apud Aristophanem multa nocte fuisse postquam galli cecinerunt verum cum adhuc sidera lucent; *ἔω* anteriorem fuisse quam *ὄρθρον* sed ante solis ortum dum adhuc tenebrosus est. *Vesp.* enim vs. 216 dicit *Sosias*:

ἀλλὰ νῦν γ' ὄρθρος βαθὺς.

cui respondetur: νῆ τὸν Δί', ὅψ' ἐ γούν' ἀνεστήκασιν νῦν.
ὥς ἀπὸ μέσων νυκτῶν γε παρακαλοῦσ' ἀέ.

Paulo postea vero (vs. 230) lucernis ardentibus choreutae introeunt (cf. vss. 246, 249-251, 255, 262); adhuc *Bdelycleon* dormit (cf. vs. 337), adhuc tenebrae sunt (cf. vss. 245, 276). Vs. 366 demum audimus: *ἔως γὰρ ὧ μελίστιον*, et mox (vs. 414) luce increscente pueri lucernas quibus videlicet opus nunc non est auferunt (cf. vss. 408 seq.). Ex *Av.* 489 seq. et 495-6 conicere licet cum gallus cecinerit tempus *ὄρθρον* esse diurnorumque laborum initium, attamen (cf. *Ec.* 739-41) ante ecclesiae statum tempus.

Sed etiam certius de utroque tempore poeta noster statuere nos sinit; nam *Ec.* 20 dicto: *καίτοι πρὸς ὄρθρον γ' ἔστιν* vss. 82-3 monemur sidera etiam nunc fulgere:

Πρ. ἀλλ' ἄγεθ' ὅπως καὶ τὰπὶ τοῖτοις δράσομεν
ἔως ἔτ' ἔστιν ἄστρα κατὰ τὸν οὐρανόν.

Cf. etiam *Ec.* 282-4, 290-1, 377, 526-7.

Atque *ἔω* concludimus ex *Ec.* 20-1, 82-5 τὸν ὄρθρον haud longo intervallo sequi.

Cf. *Ec.* 20-1: *καίτοι πρὸς ὄρθρον γ' ἔστιν* ἢ δ' ἐκκλησία
αὐτίκα μάλ' ἔσται . . .

Ec. 82-5: ἀλλ' ἄγεθ' ὅπως καὶ τὰπὶ τοῖτοις δράσομεν
ἔως ἔτ' ἔστιν ἄστρα κατὰ τὸν οὐρανόν.
ἐκκλησία δ' εἰς ἡν παρεσκευάσμεθα
ἡμεῖς βαδίζων ἐξ ἔω γεθήσεται.

Et paulo postea bis de *ἔω* velut de tenebris loquitur:

Ec. 312-16: ἐπεὶ πρὸς ἔω νῦν γ' ἔστιν, ἢ δ' οὐ φαίνεται.
ἐγὼ δὲ κατάκειμαι πάλαι . . .

Hinc usque ad versum 614 ubi id quod pro parabasi¹ cantatur initium capit omnia inter se ita cohaerent ut iudicandum sit nullum adhuc longum intervallum fuisse. Cf. etiam vs. 469: αἶδ' ἡμᾶς ἔλουνσαν ἀρτίως, qui ad vs. 381 spectat.

Verum aliquot sunt indicia dum haec quasi parabasis cantetur dies maximum quinque Aristophanem sumere praeterlapsos esse.

Iam primum vss. 706 seq. monemur eo perventum esse taedi ut feminae inquietae factae arcem deserere conentur;² quin etiam Lysistrata de aliquot earum conatibus edisserit vss. 720-5, quorum ultimus hesterno die factus sit; cuncta ergo videntur in summo esse discrimine quia tam diuturnum fit hoc discidium.

Nec non aliquot noctes intervenisse ut in vss. 758-61 sumitur³ ita in vss. 764-6 planius ostenditur:

. . . ἀργαλέας γ' εὖ οἶδ' ὅτι
ἀγουσι νύκτας· ἀλλ' ἀνάσχεσθ' ὦγαθαί,
καὶ προσταλαιπωρήσατ' ἔτ' ὀλίγον χρόνον.

¹ Parabasis similia videntur esse haec verba (vss. 648 seq.):

ἀρα προφείλω τι χρηστὸν τῇ πόλει παρανέσαι;
εἰ δ' ἐγὼ γυνή πέφυκα τοῦτο μὴ φόβηστέ μοι
ἢν ἀμείνω γ' εἰσετέγκω τῶν παρόντων πραγμάτων . . .

² Cf. vss. 708-9, 715, 718 seq.

³ Γυγ. ἀλλ' οὐ δύναμαι 'γωγ' οὐδὲ κοιμᾶσθ' ἐν πόλει
ἐξ οὗ τὸν ὄφιν εἶδον τὸν οὐκουρόν ποτε.
Γυν. ἐγὼ δ' ὑπὸ τῶν γλαυκῶν γε τάλαιν' ἀπόλλυμαι
ταῖς ἀγρυπνίαισι κακκαβαζουσῶν ἀεί.

Cf. etiam vss. 718-9: ἐγὼ μὲν οὖν αὐτὰς ἀποσχεῖν οὐκέτι
οἶα τ' ἀπὸ τῶν ἀνδρῶν διαδιδράσκουσι γάρ,

726-7: πᾶσας . . . προφάσεις . . . ἔλκουσιν.

763-4: ποθεῖτ' ἴσως τοὺς ἀνδρας· ἡμᾶς δ' οὐκ οἶε
ποθεῖν ἐκείνους;

729-30: de tineis lanam carpentibus.

τὰς ἐμβάδας ζητῶν λαβεῖν ἐν τῷ σκότῳ
καὶ θοιμάτιον· ὅτε δὴ δ' ἐκεῖνο ψηλαφῶν
οὐκ ἐδυνάμην εὐρεῖν . . .

Ec. 321: ἡ πανταχοῦ τοι νυκτός ἐστιν ἐν καλῷ;

[Quae cum ita sint εἰλη κατ' ὁρθόν V 772 legendum esse videtur potius quam εἰλη κατ' ὁρθρον.]

Et postquam Cinesias vs. 829 introiit denuo expressiusque de hoc intervallo certiores fimus. Cf. vss. 865-9:

Κι. ὥς οὐδεμίαν ἔχω γε τῷ βίῳ χάριν
ἐξ ὅπερ αὐτῇ ἔξηλθεν ἐκ τῆς οἰκίας ·
ἀλλ' ἀχθομαι μὲν εἰσιῶν, ἔρημα δὲ
εἶναι δοκεῖ μοι πάντα, τοῖς δὲ σιτίοις
χάριν οὐδεμίαν οἶδ' ἐσθίων,

et 894-9, praesertim χρόνον τοσοῦτον (899), et διὰ χρόνου (904); nec non vss. 885-6:

Κι. ἐμοὶ γὰρ αὐτῇ καὶ νεωτέρα δοκεῖ
πολλῷ γεγενῆσθαι κάγανώτερον βλέπειν,

praecipue autem vss. 880-1:

Κι. . . . οὐδ' ἐλεεῖς τὸ παιδίον
ἄλουντον ὃν κᾶθηλον ἔκτην ἡμέραν;

Alia quoque argumenta praesto fiunt post praeconis Lacedaemonii introitum (vs. 980). Nam excepto tempore quo opus erat et Lampitoe in Laconiam post vs. 244 et praeconi inde Athenas pervenire, ea quae praeco de Lacedaemoniorum statu vss. 995-1006 dicit non nisi aliquanto temporis intervallo apta sunt.¹

“ At quonam modo hoc cum chori perpetua praesentia congruit ? Si enim chorus sine intermissione adest nonne credendum est unum tantum dramatici temporis diem a poeta sumi ? ”

Haud mea nunc ² refert congruentiam istam exsistere probare; sed cum nec per iocum (quoad rem temporalem attinet) verum serio, nec semel vel lapsu quodam sed identidem tamque studiose nos de temporis processu monuerit poeta, facere non possum quin statuendum rear hoc intervallum in fabula eum exstare voluisse.

Post hoc quinque dierum intervallum reliqua fabulae pars duobus intercedentibus intervallis minoribus, dum vss. 1014-71 praeco Spartam volat (ut ipsius verbo utar) legatique Athenas festinant

¹ Tanto tamen intervallo hoc loco statuto haud similem speciem praebent ea quae vss. 1009-1072 sequuntur; cum enim Spartam praeco vs. 1013 remittitur per celeritatem eius ludit Aristophanes, nec postea (vs. 1072) legatorum adventu iustum sentimus fuisse intervallum. Cf. p. 58.

² Hanc rem pp. 20 seq. tracto.

et vss. 1189-1215 Lacedaemonii Atheniensesque in arce convivantur,¹ ad finem sero² huius diei pergit.

Haec fabula igitur mane exorsa, intervallo maiore circa mediam fabulam constituto, sexto demum die in vesperum finitur.

4. *Acharnenses*

Primae quoque servatarum Aristophanis comoediarum unitas temporis videtur deesse.

Incipit quidem fabula *Acharnenses* mense fere Posideone³ certe mane paene tempore ecclesiae usitato; Dicaeopolis enim vss. 19-21:

ὥς νῦν, inquit, ὁπότ' οὔσης κυρίας ἐκκλησίας
ἐωθινῆς ἔρημος ἡ πνύξ αὐτῆι,
οἱ δ' ἐν ἀγορᾷ λαλοῦσι.

¹ Cf. vss. 1182-8, 1223-38, praesertim *ἐωχήμενοι* (1224), *συμπόσιον* (1225), *ἔδοι* (1237).

² Cf. vss. 1217-8: . . . μὴν ἐγὼ τῇ λαμπάδι
ὁμᾶς κατακάψω;

³ Vss. 201-2 enim pronuntiat Dicaeopolis:

ἐγὼ δὲ πολέμου καὶ κακῶν ἀπαλλαγὴς
ἄξω τὰ κατ' ἀγροῦς εἰσιὼν Διονύσια,

posteaque (vss. 237-79) re vera has ferias celebrat, quas constat in mensem Posideonem plerumque incidisse in Eleusi autem in Gamelionem (cf. A. Mommseni *Feste der Stadt Athen* pp. 349 seq., praesertim p. 351 n. 5, p. 352 n. 2). Vix autem pro comperto habere possumus Aristophanem verbis τὰ κατ' ἀγροῦς Διονύσια fixum statutumque mensis certi tempus significare voluisse praecipue quod loquitur agitque Dicaeopolis ut non statas ferias verum inopinatas ac subito casu oblatas captatasque ipse solus privatim celebraturus; perinde enim ac natura fert bello repente et mirum in modum liberatus gratias Dionyso feriis usitatis etiam extra ordinem paratis agere cupit. Aliter autem de feriis Χωρὶ posthac (vss. 961 sqq.) agitur; praeco enim nuntiat, flamen vocat, iustum feriarum tempus adesse apparet.

Sed concessum esto vix accurate mensem ipsum Posideonem Aristophanem in prima fabulae parte necessario spectavisse; nec tamen tam frequenter verbis τὰ κατ' ἀγροῦς Διονύσια vel similibus (cf. vss. 195, 202, 247, 250) auditis spectatores opinor de alio tempore cogitasse quam fere hiemali quo rustici per pagos Dionysum propitiari consueverant. Nam etsi de subito has ferias agere a Dicaeopolide constitutum erat tamen tempus ad ferias aliquatenus idoneum esse veri similis est; neque enim Panathenaea hieme nec rustica Dionysia aestate Atheniensis, putares, quaquam de causa egisset. Non igitur Posideonem mensem ipsum iudico prima in fabulae parte necessario esse verum aliquam hiemis non multo serierem partem.

Altero autem loco¹ maturum semper se esse autumat. Merry contra et van Leeuwen et Starkie,² versu 40³ adductis, tempus fere meridianum esse placet. Auditoribus vero quid tempus dramaticum definit nisi primum temporis indicium? Cum Athenienses matutinis comitiis consueti verba ὡς νῦν ὁπότε ὁδοῦ κυρίας ἐκκλησίας ἐωθινῆς audivissent quid loci dubitationi datur quin statim tempus matutinum esse in fabula senserint?

"At quid verbo μεσημβρινοί vs. 40 faciendum?" Num quis superlationis ius Aristophani denegatum it? Uno verbo πάλαι in fabulis eius investigato⁴ cognoscetur quam saepe καθ' ὑπερβολὴν scripserit. Dicaeopolis igitur mea sententia tarditate praesidium valde fatigatus et stomachatus plus ut fit quam verum vs. 40 exclamavit. Tempus itaque matutinum esse initio fabulae iudico. Illud tamen concedendum videtur, serius quam par erat fuisse adventum praesidium.

Quia hinc usque ad vs. 203 Dicaeopolis in scaena manet, quamquam inter vss. 132 et 175 Amphitheus Spartam profectus indutiis pro Dicaeopolide pactis inde Athenas revertitur, nullum adhuc temporis intervallum est.⁵

Parvum autem incidit intervallum dum chorus vss. 204-36 parodicum canticum agit, Dicaeopolide intra domum suam sacra parante, filiam servosque accitos docente; dein pompa in scaena instituta in iurgium inopinatum cum Acharnensibus incidit nec a scaena decedit donec vs. 625 macello edicto domum se recipit.

Inter parabasin (vss. 626-718) nuntio Megara Thebasque perlato Megarensis quispiam Athenas profectus est; interea Dicaeopolis

¹ Vss. 28-9: ἐγὼ δ' αἰεὶ πρῶτιστος εἰς ἐκκλησίαν νοστέων κάθημαι.

² Cf. Merrii ed. p. 3 notarum et nn. in vss. 20, 40; Van Leeuwenii ed. praef. p. 7, Starkii "Analysis," p. xxx, et n. p. 6, col. 1; sed. n. in vs. 40 adicit: "but it is obvious that there is an exaggeration here."

³ ἀλλ' οἱ πρυτάνεις γὰρ οὐτοὶ μεσημβρινοί.

⁴ Cf. pp. 3 n. 3, 6 nn. 2 et 6.

⁵ Roland G. Kent, *Trans. Am. Philol. Assoc.* 37 (1906), pp. 39-52 scribit: "The dismissal of the assembly at 173 leaves Dicaeopolis alone on the stage; this, with the consequent stoppage of the action of the play, gives the opportunity for the lapse of time necessary for Amphitheus' journey." Cf. vero quae infra p. 52 et n. 2 disputatur.

in stela foedus suum incidendum¹ curarat. Quia autem modo ante parabasin vss. 623-5 macellum Dicaeopolis edixit, modo post eam vss. 719 seq. terminavit, impedimur quominus multum temporis interim interiectum esse arbitremur.

Cippis autem macelli positis vix vs. 728 abiit ut columnam foedus suum testaturam in publico collocet cum Megarensis in scaenam prodit. Qui inter se locuti vs. 835 demum e scaena in diversum iter abeunt.

Quae hactenus acta sunt uno die continentur;² sed post chori carmen (vss. 836-59) quod reliquum fabulae est mense Anthesterione, duobus fortasse mensibus³ serius quam erat initium fabulae, Aristophanes agi finxit.

Feriae enim Χόες⁴ nunc instant, nam vss. 959 seq. Lamachi

¹ Stelam iam ante Dicaeopolidis introitum (vs. 719) paratam esse vss. 727-8 argumento sunt: ἐγὼ δὲ τὴν στήλην καθ' ἣν ἐσπεύσαμεν μέτεμ'. Utrum postea Dicaeopolis hanc columnam secum referat necne nihil ad rem; hoc quidem loco Aristophanes sumit eam intra vss. 626-718 inscriptione esse instructam.

² A. Mommsen contra (*Feste der Stadt Athen*, p. 388, n. 4), censet iam vss. 719 seq. ad mensem Anthesterionem temporis indicia spectare; χοίρους enim μυστικὰς (vss. 747, 764) ad mysteria parva quae hoc mense agi pertinere, et τοὺς ἀγορανόμους vss. 723-4 ideo poetam intulisse quia huius nominis officiales ferias χύτροις administraverint, id quod inscriptione epheborum anni p. C. 192-3 (*C. I. A.* III, i, p. 370, no. 1160) demonstrari (. . . ἀγορανόμοι . . . ἐπετέλεσαν τοὺς Κίθρους [sic]). Cui sententiae vix inducor ut assentiar; neque enim una recentioris aetatis inscriptione consuetudinem annis sescentis priorem probari posse reor nec aoristo ἐπετέλεσαν plus significari quam quod semel illud evenit. Atque macello instituto, in quo οἱ ἀγορανόμοι procul dubio cottidie intererant (cf. *Lys. Orat.* 22, 16; *Arist. 'Αθ. πολ.* cap. 51), nonne iam satis causae est cur ἀγορανόμους Dicaeopolis nominet? Quoad autem χοίρους μυστικὰς et parva mysteria attinet, animadvertendum est nec de his mysteriis quicquam memorari et Lobeckio quidem (*Aglaoph.*, p. 85) Hesychium secuto persuasum esse verbum μυστικὰς de macilenta bestia usurpatum hoc loco esse.

³ Cf. quae de initii fabulae tempore supra p. 16 n. 3 disputata sunt.

⁴ Quae Anthesterionis duodecimo die agebantur; cf. A. Mommseni *Feste der Stadt Athen* pp. 384 seq. Hæ feriae spectatorum mentibus fere perpetuo inde a versu 961 obversantur; cf. enim vss. 961 (ἐς τοὺς Χοᾶς), 1000-17 (ἀκοῦτε λεῦ· κατὰ τὰ πάτρια τοὺς Χοᾶς πίνειν κτ.), 1067 seq., praesertim 1068 (ἐς τοὺς Χοᾶς), 1076 (ὅπρὸ τοὺς Χοᾶς γὰρ καὶ Χύτροις), 1086 (τὸν χοᾶ), 1133 (τὸν χοᾶ), 1203 (τὸν . . . χοᾶ), 1211 (τοῖς Χουσί).

Quacum temporis ratione consentiunt indicia temporis vss. 1075 (κάπετα τηρεῖν νειφόμενον τὰς ἐσβολάς) et 1141 (νείφει· βαβαῖάξ· χαιμέρια τὰ πράγματα) et 1146 (σοὶ δὲ βιγῶν καὶ προφυλάττειν) reperta.

servus Dicaeopolin idcirco adit ut cuppedines in has ferias coemat; immo hoc ipso die celebrantur, postquam enim vss. 1000-2 praeco nuntiavit hodie fore ut bibendo more maiorum decerneretur Dicaeopolis qui vss. 1003-7 in hoc certamen constituit descendere cibo cocto omnibusque rebus ad cenam et potionem necessariis paratis,¹ post vs. 1142 egressus, in fine demum fabulae in scaenam ebrius cum amicis duabus reversus ut victor certaminis τὸν ἄσκὸν flagitat.

Quo diei tempore novissimam fabulae partem poeta animo finxerit fieri minus certe definiri potest; e vss. 1142, 1145, 1147-49 sub vesperum esse conicias, id quod nonnullis Aristophanis comoediis convenit. Verum nihil est certi.

In hac vero ulteriore fabulae parte unius potioris intervalli argumenta sunt aliquot; dum enim Dicaeopolis abest ut potioni illi intersit, Lamachus (vs. 1143-73) in latrones Boeotios in fines Atticos² impetu facto vulneratus Athenas rursum se recipit inque scaenam vs. 1190 servis, credo, fultus intrat. Hoc tamen intervallo interiecto non ultra fines huius diei ultima pars fabulae tenditur.

Huius igitur comoediae nec prior pars (vss. 1-835) unum videtur diem excedere neque pars posterior (vss. 860-1234); verum inter has duas partes spatium longius, — fortasse duos fere menses, — incidere Aristophanes fecit. Nam cum in priore parte Dionysia rustica agenda curarit et in posteriore ferias Xoās, tam aperte tem-

¹ Cf. vss. 1005-7 et seq., 1088-93, 1096 seq.

² Cf. vss. 1073-7:

λέγει σ' ἐκέλευον οἱ στρατηγοὶ τήμερον . . .
 . . . κἄπειτα τηρεῖν νευφόμενον τὰς ἐσβολάς.
 ὑπὸ τοῦς Χοῶς γὰρ καὶ Χύτρους αὐτοῖσι τις
 ἤγγειλε ληστὰς ἐμβαλεῖν Βοιωτίους.

Cf. etiam vss. 1174 seq. Van Leeuwenum (n. in vs. 1075) secutus Phylam aut Deceliam versus arbitror poetam sibi finxisse Lamachum profectum esse — iter stadiorum maximum centum viginti vel miliariorum Anglicorum fere tredecim, minimum fortasse stadiorum quinquaginta, mil. Anglic. sex, — ubi latrones e Boeotia incursum facturos e montium situ existimaveris. Porro autem Phylam potius quam Deceliam Aristophanem cogitavisse iam vss. 1022-3 argumento sunt ea quae Δερκέτης, ipse Φυλάσιος (cf. vs. 1028) queritur: . . . ἐπετρίβην enim dicit ἀπολέσας τῷ βέε. Nam

. . . ἀπὸ Φυλῆς ἔλαβον οἱ Βοιώτιοι.

poris mutationem indicat ac si nostratium quis in fabula primo ferias quas "Christmas" appellamus etiam si non a.d. viii Kal. Ian. sed extra ordinem repraesentet dein eas quibus nomen "Easter" inditum est. Et mirum fuisset si Athenienses qui etiam plus quam nos festis diebus intererant¹ Dionysia rustica et Xoās in eundem diem incidere etiam choro perpetuo in scaena praesente mentibus finxissent.

Ex undecim igitur Aristophanis fabulis tres vidimus conceptis verbis diem unum excedere, videlicet *Nubes*, *Lysistratam*, *Plutum*; quartam — *Acharnenses* — paene aequae plane, quia in ea duae notissimae et temporibus notis constitutae feriae agerentur neque fortuitis verbis ac temere hoc significaretur sed etiam atque etiam nominatim citarentur hae feriae.

Non sum ignarus quempiam fortasse contra esse dicturum aut Aristophanem omnino temporis dramatici neglegentem fuisse et tantum iocosum² aut quoniam chorus perpetuo in scaena adsit omnia quae ultra diem unum videantur extendere actionem ita explicanda esse ut temporis indicia cum chori praesentia congruant.³

Quarum opinionum ad neutram possum me asciscere; neque enim, id quod posthac (pp. 56 seq.) spero patefactum iri, Aristophanes ita rem temporalem neglegebat, et tantum abest ut temporis

¹ Cf. [Xen.] 'Αθ. πολ. 3, 2: πῶς γὰρ ἂν καὶ οἱό τε εἶεν [sc. 'Αθηναῖοι], οὐστὶνας πρῶτον μὲν δεῖ ἑορτάσαι ἑορτὰς ὅσας οὐδεμία τῶν Ἑλληνίδων πόλεων . . .; Ar. *Nub.* 299-310: χθόνα παλλάδος . . . οὐ σέβας ἁρρήτων ἱερῶν . . . καὶ πρόσοδοι μακάρων ἱερώταται, εὐσεβέφανοι τε θεῶν θυγαῖαι θαλαῖαι τε, παντοδαπαῖς ἐν ὥραις.

² Cf. Fr. Krausi op. p. 10 n. 2 cit. pp. 9-10, 32 seq., 40, 41: J. van Leeuweni n. in *Lys.* vs. 725, et *Thesm.* vss. 655 seq.: "neglegentius autem — more suo — versatur in temporum ratione constituenda"; H. Richardsi n. in *Class. Rev.* 26 (1912) p. 223, ubi de Rogersi Eccles. editione scribit: "At 705 he makes perhaps too much of the subsequent remark that five days have gone by; that is hardly more than a joke. With the chorus remaining in the orchestra the thing cannot be."

³ Cf. ea quae Richardsi l. c. dicit. Eodem videntur spectare ea quae Felsch, *Quibus Artificiis Adhibitis Poetae Tragici Graeci Unitates Illas et Temporis et Loci Observaverint* (Vratislaviae, 1906), p. 48 de unitate temporis apud Euripidem observata statuit: "Tamen Euripidem etiam in ceteris fabulis componendis legi illi paruisse patet, etiamsi illud quidem e verbis ipsis non cognoscitur. Nam, ne in altera fabulae parte alius dies esset atque in altera, ante omnia chorus obsisterat, quippe qui per totam actionem in scaena remaneret." Atqui hoc est sumere id quod probare conatur.

indicia cuncta chori praesentiae subiungere necesse sit ut potius chori Aristophanem fuisse neglegentem sit confitendum. Nec tamen solus Aristophanes; nam etiam tragicos choreutarum paulum miseritos esse aequè constat. Perdurum enim licet sit choreutas uno in loco dies aliquot perdurare cogere, non facile ut in Euripidis *Electra* a primo mane usque in serum diem hoc faciunt.

Praeterea a maioribus traditum erat chorum in comoediis adhibere;¹ unitatem temporis servare traditum esse haud perinde constat, nec primas partes chorum agere umquam quod sciamus neque Aristophanes nec priores comici Attici sinebant.²

Quin etiam priscos tragicos et Aeschylum ipsum³ et fortasse alios eiusdem aetatis tragicos⁴ imitabatur qui haud semper unius diei modum fabulis suis posuerant.

Porro eo facilius in comoedia quam in tragoedia unitas temporis illa neglegi poterat quo chori partes facilius natura a re dramatica solvebantur; ut trifariam evidens redditur. Nam primum cum in parabasi tum saepe in aliis canticis re dramatica omnino prae-

¹ Cf. F. M. Cornfordi *The Origin of Attic Comedy* (1914) praesertim p. 106 seq.

² Non enim e choro solo antiquitus exorsa videtur esse comoedia. Cf. enim ea quae F. M. Cornford (*The Origin of Attic Comedy*, summatim p. 103 complura complectens) dicit: comoediam nempe Atticam e ritu phallico initium duxisse antiquissimo in quo et pompam et sacrificium et phallicum locum tenerent. Cum autem haud multum lucis aut ex eis quae Aristoteles *Poet.* p. 1449^a9 seq. scribit ducere possimus aut ex forma phallici in *Ar. Ach.* vss. 237-279 (curtum enim e natura fabulae id esse arbitraris), incommodo magnopere est quod Chionidae Cratetis Magnetisque et aliorum eius aetatis comicorum fabulae non supersunt; primis enim illis salvis facilius sine dubio de ortu auctuque comoediae Atticae iudicarem.

³ Cf. Arist. *Poet.* 1449^b13 seq.: ἡ μὲν (sc. τραγῳδία) ὅτι μάλιστα πειρᾶται ὑπὸ μίαν περίοδον ἡλίου εἶναι ἢ μικρὸν ἐξαλλάττειν, ἡ δὲ ἐποποιία ὁρίστος τῷ χρόνῳ, καὶ τοῦτο διαφέρουσι· καὶ τοὶ τὸ πρῶτον ὁμοίως ἐν ταῖς τραγῳδίαις τοῦτο ἐποιοῦν καὶ ἐν τοῖς ἐπεισιν. Et de Aesch. *Eumen.* cf. Guil. Felschi op. p. 20 n. 3 cit. p. 14.

⁴ Nam ut saepius nostra aetate monemur, non legem verum consuetudinem poetarum et conatum Aristoteles lectoribus suis proponebat; et tamen Felsch qui ipse nos de hoc in prima pagina tractationis suae monuit voce "lex Aristotelica" vel eodem pertinentibus vocabulis fere perpetuo deinde utitur; ita Polczyk passim: cursim enim haec duo opera retractanti sedeciens in oculos mihi haec similiaque vocabula obviam fiunt (cf. Felschi op. pp. 3, 6, 7, 14, 20, 22, 48, 56, 57 bis; Polczyk op. pp. 2, 4, 5, 12, 13, 15).

terita ad spectatores ipsos vel de spectatoribus nonnullis choreutae caneant. Deinde non erat vetitum in duas partes choreutas divisos inter se actionem a iusta re dramatica absolutam agere, quem ad modum in *Lysistrata* senes anusque dum mulieres Atticae alienigenaeque pacem inter Athenienses et Lacedaemonios moliantur ipsi inter se et pugnant et in gratiam rursus redeunt.¹ Postremo accedit quod ut semel chorus scaenam intraverat, etsi primo rei dramaticae intime conexus, postea tamen hanc tam artam coniunctionem plerumque amittebat. Cur enim chorus Acharnensium inesset? Nempe ut Dicaeopolin ulciscerentur;² at cur post paenitentiam suam, cum Dicaeopolis rem cum Megarensi, Boeotio, delatore, aliis gerebat, illi infirmi in scaena manserunt? Propterea quod usitatum apud comicos fuit chorum usque ad finem fabulae adesse. In *Nubibus* quoque chorus ut conspectum suum sacerdoti illi praebeat nec non ut Strepsiades cum deabus novis coram sermocinetur in scaenam vocatur;³ sed postquam semel ἐς λόγους ξυνέγενετο senex et consuluit eas⁴ omnia complerunt in quae sunt arcessitae; sed cum nondum in mediam fabulam processum sit nubes illae diutius morantur. Atque in *Vespis* chorus iudicum dum ad tribunal mane praeterit ut magnum aliquid diiudicetur⁵ Philocleonem socium evocat; cur tamen postea, quando illo domi remanere coacto certamen inter patrem et filium ipsorum arbitrio commissum iudicatum est, ab iudicio tam caro sese abstineant causam poeta non profert; contra iudicii in quod tam mane Cleone iubente magnam illam causam iudicaturi ibant nunc prorsus obliviscuntur priusquam dimidium fabulae actum est. Nec non in *Pace*, opere in quod choreutae acciti sunt perfecto, quin etiam ut in agros suos discederent vss. 551-5 ita moniti:

¹ Cuius histrionum et chori disiunctionis dramaticae vestigium in *Lys.* vss. 700 seq. reperitur: quamquam enim histriones de rebus iam aliquot diebus ante gestis vss. 706 seq. (cf. pp. 14 seq.) loquuntur semichorus feminarum de se vss. 700 seq. affirmat:

ὥστε ἀχθὲς θήκατῃ ποιούσα παιγνίαν ἐγὼ
τοῖσι παισὶ τὴν ἐταῖραν ἐκάλεσ' ἐκ τῶν γειτόνων.

² Cf. vss. 177-185, 204 seq.

³ Cf. vss. 250-3, 265-6.

⁴ Vss. 427-75.

⁵ Cf. vss. 242-4.

ἀκούετε λέφ· τοὺς γεωργοὺς ἀπιέναι
τὰ γεωργικὰ σκεῖη λαβόντας εἰς ἀγρὸν
ὥς τάχιστ' ἄνευ δορατίου καὶ ξίφους κάκοντιον·
ὥς ἅπαντ' ἦδη 'στὶ μεστὰ τάνθ' αἰρήνης σαπρᾶς.
ἀλλὰ πᾶς χώρει πρὸς ἔργον εἰς ἀγρὸν παιωνίσας,

nihilominus quia tam consuetum erat chorum ad finem fabulae retinere, quacumque de causa in scaena manent dum Trygaeus e caelo descendit, dum nuptias parandas curat, dum Theoriam prytanibus mandat, dum sacra facit, dum nonnullos qui pacis aliquantulum appetunt ludificatur, dum nuptias celebrat. Quid de *Avibus* dicendum? Vss. 194-8, 252-9, 438-9 certiores fimus ideo aves congregari ut sermonem de proposito novo cum Pisthetaero et Euelpide conferant; quae cum ita sint postquam persuasum est eis ut urbem in aëre sibi condant non est cur in opus vel alio non abscedant. Nam quod ipsi vss. 658-60 dicunt:

. . . τοὺτους μὲν ἄγων μετὰ σαντοῦ
ἀρίστισον εὖ· τὴν δ' ἠδυμελῆ ξυμφωνον ἀηδόνα Μούσαις
κατάλειψ' ἡμῖν δεῦρ' ἐκβιβάσας ἵνα παίσωμεν μετ' ἐκείνης

vix bonam causam tam diu manendi afferunt. In *Lysistrata* quoque semichorus senum ad arcem venerunt ut mulieres improbas igne expugnent;¹ muliebris vero semichorus ut auxilium suis ferat.² Sed postquam in unum convenerunt locum reliquum fere tempus terunt inter se ita rixantes atque tandem rixam componentes ut alteram quasi fabulam praebeant; verum nec cum in gratiam inter se redierunt³ e scaena abeunt. Itaque in *Ranis* choreutae qui mysteria acturi⁴ intraverunt hoc mox omisso remanent tantum quod moris fuit chorum remanere; eo enim quod Hercules vs. 161 pollicitus erat eos facturos vss. 438-440 perfecto nihil dramatici obstat quin alio se recipiant. Nec multo aliter in *Ecclesiazusis*, quamquam post reditum vss. 517-8 dixit Praxagora:

περιμένετε νῦν ἵνα τῆς ἀρχῆς ἦν ἄρτι κεχειροτόνημαι
ξυμβούλοισιν πάσαις ὑμῖν χρήσωμαι,

nihilominus posthac neque eas consulit umquam neque in scaena quidem post vs. 727 manet, et tamen assessores illae in scaena

¹ Cf. vss. 254 seq.

² Vss. 1040-1.

³ Cf. vss. 319 seq.

⁴ Cf. vss. 154-8, 316 seq.

usque in vesperum perdurant. Nec non in *Pluto* agrestes Chremyli accolae in divitiarum communicationem¹ arcessiti neque locupletantur, nisi verbis meris, neque causam habent bonam ob quam tam diu saltantes praesto sint.

In *Equitibus* contra et *Thesmophoriazusis* fabula ipsa postulat ut choreutae diutius morentur: in altera enim quoniam idcirco arcessuntur² ut subsidio Agoracrito sint nec Cleon ante vss. 1248-60 debellatus est paene ad exitum fabulae sunt necessarii; in altera omnia apud feminas in Thesmophorio ferias suas celebrantes aguntur. Verum notandum est has fabulas earum esse quae intra diem unum concludantur, in nulla ex iis quae ultra diem extenduntur tam diu chorum in re dramatica versari.

Quoniam igitur non modo arduum erat chorum arte ad actionem per totam fabulam aptare sed non erat inauditum choreutas ipsos secum alteram quasi fabulam agere et consueverant ipsos spectatores alloqui, evidens est licet in actione liberius, ut in comica fabula, choreutae nonnumquam versentur tamen non perinde e choro pendere actionem ac in vetere tragoedia;³ immo vero tantum abest ut in comoedia aequae atque in plerisque tragoediis omnia cum chori praesentia conveniant ut choro potius ipso interdum neglecto rem temporalem ut res dramatica postulat poeta tractet.

Nec praetereundum illud est, ideo facilius in comoedia quam in tragoedia longiora temporis intervalla fingi quod in tragoedia plerumque cantica ad rem dramaticam plus minus arte restringebantur, in comoedia quotienscumque spectatores ipsos choreutae alloquebantur vel nominatim de singulis Atheniensibus iocabantur mentes spectatorum ab re temporali omnino abstrahebant.

Denique non est obliviscendum poetam non tractationem de arte poetica conscribere verum comoediam ad praemium adipiscendum informatam, quae cito spectatoribus coram ageretur,⁴ nec "legem" de temporis unitate servanda prae se tulisse; immo nosmet ipsos *μωρὸν* legis istius nobis imposuisse.

¹ Cf. vss. 222-6, 284-5.

² Cf. *E* 225 seq.

³ Recentiores sane, ut Euripides et Agatho, minus in re dramatica chorum valere patiebantur.

⁴ Quam praeterea, ut dictitat White, nonnumquam usque ad diem quo docebatur partim retractabat; cf. enim *Ec.* vss. 1154-62.

Et in hac quaestione persequenda mirum quantum ipsi qui noverunt legem talem exsistere nullam, tamen ea obstringuntur. Nam et Felsch et Polczyk de "lege" scilicet "illa Aristotelica" usquequaque scribunt; nec non tam penitus sibi Polczyk videtur persuasisse legem re vera eam esse ut p. 15 etiam Terenti *Heautontimorumenon* sub eam cogere temptet. Sed quae ipse dicit audi: "Sed etiamsi hac in fabula actio unum diem excedit tamen Aristotelis de unitate temporis lex illa non migratur, quoniam Aristoteles ipse aperte dicit in fabulis actionem intra circuitum solis aut paulo diutius fieri." Quocirca eo iudice interpretari debemus Aristotelem cum *μὴν περίοδον ἡλίου* dixisset non traiectionem caeli unam sed horas significavisse viginti quattuor a quovis tempore clepsydra nimirum numeratas, quasi ita aut unitas temporis servaretur aut chori continua praesentia speciosa redderetur. Verum aut Aristoteles non de unitate temporis scribebat aut intra fines unius diei nocte non intercedente concludenda est fabula. Si enim noctem in fabulam incidere patimur nihil interest viginti quattuor horas poetae permittamus an quinque et viginti; nocte enim illa non horae unius incremento unitas temporis deleta est. Neque Aristotelis laudem augemus dum talem sententiam tam praeclaro ingenio imputamus. Non igitur dubito quin ille dixerit plerasque fabulas a solis ortu inceptas ante solis occasum finiri, nonnullas tamen paulum hunc modum superare dum etiam ante lucem initium caperent. Quin ergo confitemur fabula *Heautontimorumenon* perfecta semel dumtaxat "legem" istam in nova comoedia interruptam esse?

B

Iis igitur fabulis quae supra unum diem extenduntur iam examinatis ad eas quae aperte intra diem concluduntur pergamus.

1. *Equites*

Hieme agi fabulam *Equites* indicio forsitan sint vss. 881-3:

τονδὶ δ' ὀρῶν ἀνευ χιτῶνος δντα τηλικούτον
οὐπῶποτ' ἀμφιμασχάλου τὸν Δῆμον ἤξιωσας,
χειμῶνος δντος.

Sed cum *els* *Ἀγῶαια* ¹ hanc fabulam Aristophanes dederit haud scio an verum tempus hic cogitaverit.²

Diei vero tempus quo fabula initium capit etsi nusquam plane ab Aristophane indicatum antemeridianum certe esse paene necessario inde sequitur³ quod et botularius in *ἀγορὰν*⁴ tomacula sua venditum modo prodit et senatus adhuc in curia est.⁵

Ab initio usque ad vs. 498 non intermissa est actio; dum autem vss. 498–610 parabasis cantatur, Agoracritus Paphlagonque apud senatum vario patrum favore disceptant⁶ atque Agoracritus postquam senatus dimissus est in foro multa opsonatus senatoribus distribuenda curavit.⁷

Inde histrionum dumtaxat unus usque ad vs. 1264 in scaena reperitur; dum altera parabasis vss. 1264–1315 agitur Demus ab Agoracrito recreatus⁸ in priscis Athenis consedit.⁹ Nihil de exitus tempore dictum.

Quamquam igitur duo sunt praecipua intervalla¹⁰ nihil obstat quin arbitremur omnia huius fabulae quae ante meridiem exorsa est intra diem concludi.

¹ Cf. *Arg.* II.

² In *Thesm.* quoque (cf. p. 28 n. 7) sub iudice relinquo litem; sed in *Ach.* (cf. pp. 18 n. 4, 69 n. 6) mihi persuasum est de industria Aristophanem hiemis indicia intulisse ut cum re dramatica congruerent. Itaque in *Anib.* (cf. pp. 46 n. 3, 69 n. 6).

³ Non tamen inde quod vss. 746–8 Paphlagon de ecclesia continuo habenda suadet; hoc enim loco augusto in tramite, ut ita dicam, incedit poeta inter rem ipsam et personam eius rei vicem obtinentem. Quod manifestius redditur si vss. 723–5 conferas ubi cum incipit Paphlagon:

ἴωμεν ἐς τὸν δῆμον

de vera ecclesia cogitamus; postea tamen ille exclamat:

ὦ Δῆμε δέυρ' ἔξελθε.

Sic etiam vss. 746 seq. primo populum Atheniensium rem diiudicaturum rati postea histrionalem comperimus Populum iudicem esse. Et vss. 1388–95 quae primo triginta annorum indutiae putantur mox virgines evadunt. Cum quibus locis componere licet *Av.* vss. 548–54, 1536 seq., 1632 seq., 1639, 1675, 1678, 1687 seq., 1713, 1723 seq., ubi aves exorsae quidem de regno suo recipiendo consulere in ultima fabulae parte virginem cui nomen Regno (*βασιλεῖα*) inditum est a Iove accipiunt.

⁴ Vss. 146–7; cf. 155, 160–1, 488–9.

⁵ Cf. vss. 475–6, 485, 625 seq.

⁶ Cf. vss. 363, 395, 475 seq., 482 seq., 625–75.

⁷ Cf. vss. 676–82.

⁸ Cf. vs. 1323.

⁹ Cf. vss. 1321, 1336.

¹⁰ Vss. 498–610 et 1264–1315.

2. *Vesphae*

Tempus *Vesparum* certius quam in *Equitibus* definitur. Praeterquam enim quod luna nova est¹ hic illic per fabulam de tempore certiores fimus.

Exordium enim a multa nocte capi abundant testimonia; nam servi modo experrecti somnia inter se narrant,² Bdelycleon tamen adhuc dormit³ neque a somno solvitur ante vss. 136-7. Et postquam Philocleonem vss. 137-210 intra aedes denuo compescuerunt vs. 229 obdormiunt rursus custodes illi sicut Sosia iam vss. 211-13 suaserat; cf. enim quae Philocleon choreutis vss. 336-7 praecipit:

ἀλλὰ μὴ βοᾶτε· καὶ γὰρ τυγχάνει
οὔτοσι πρόσθεν καθεύδων· ἀλλ' ὕφεσθε τοῦ τόνου,

iterum vss. 371-2:

. . . ἀλλὰ μὴ βοᾶτε μηδαμῶς,
ἀλλὰ τηρώμεσθ' ὅπως μὴ Βδέλυκλέων αἰσθήσεται,

item vs. 381:

ἦν αἰσθομένῳ τούτῳ ζητήτόν μ' ἐσκαλαμάσθαι.

Cf. etiam vs. 347:

ἦτις σε λάβρα τάνδρος τοῦδ' καταβῆναι δεῦρο ποιήσει

et ea quae Bdelycleon vs. 395 servo suo iniungit:

οὗτος ἐγείρου . . . ὥσπερ φωνή μὲ τις ἐγκεκύκλωται.

Nec non *ὄρθρον βαθὺν* esse vs. 216 Sosia monet; et vss. 230 seq. ob tenebras lucernae opus sunt;⁴ vs. 366 tandem processu temporis *ἔως* est.

Post autem chori introitum continenter ad vs. 1009 histriones in scaena versantur. Parabasi vero vss. 1009-1121 confecta aliquantum processisse sentimus tempus dramaticum et iam in vesperum vergere; nunc enim Bdelycleon in cenam patrem suum et exornat et facetias moresque ac cantus docet.⁵ Deinde cena a servo intra vss. 1252 et 1264 parata abeunt apud Philoctemonem cenatum.

¹ Cf. vs. 171: νομηνία γὰρ ἔστιν.

² Cf. vss. 67-8.

³ Vss. 2, 5-7, 9, 10-19, 24-5, 28-36, 38-40, 42-5.

⁴ Cf. vss. 244-7, 249-57, 262, 299, 275-6, 242-3.

⁵ Cf. vss. 1122-72, 1174-1207, 1208-17, 1219-48.

Dum chorus vss. 1265-91 canit ad destinatum amicum perventum est, convivioque absoluto¹ Philocleon ebrius factus² saltatrice rapta³ tandem dum multum in via ludit⁴ domum revertitur.⁵

Non solum autem quod cenatum est arbitrari possumus vesperi nunc esse verum etiam quia de facibus pluries mentio fit.⁶

Sed et aliud interiectum est intervallum choro vss. 1450-73 canente; e vss. 1474 seq. enim discimus senem iterum vinum bibisse (1476) atque saltasse (1477-9) et adhuc saltare. Atque in noctem desinere fabulam liquet e vs. 1478: ὀρχούμενος τῆς νυκτὸς οὐδὲν παύεται.

Hanc igitur fabulam sicut *Equites* ea in tempore dramático tractando observare iudicandum est quae ex Aristotelis verbis novimus consuetudinis apud tragicos plerumque fuisse; et mane quidem initium capere, in vesperum eiusdem diei desinere.

3. *Thesmophoriazusae*

Quibus fabulis accedit fabula *Thesmophoriazusae*, quam Νηστέλα, itaque mensis Πυανεψιώνος⁷ aut duodecimo aut tertio decimo⁸ die, agi e vss. 78-80 docemur:

ἐπεὶ νῦν γ' οὔτε τὰ δικαστήρια
μέλλει καθίζειν οὔτε βουλῆς ἐσθ' ἔδρα,
ἐπεὶ τρίτῃ στί Θεσμοφορίων ἡ μέση.⁹

¹ Cf. vss. 1299-1323. ² Cf. vss. 1322, 1392-3. ³ Cf. vss. 1345-6, 1368-9.

⁴ Cf. vss. 1322-3, 1388-91, 1396-8, 1415-18, 1422, 1443-5.

⁵ Vss. 1322-4.

⁶ Vss. 1330-1, 1361, 1390; cf. etiam vss. 1372 seq.

⁷ Cf. vss. 67-8: . . . χεμῶνος οὖν

ὅντος κατακάμπτειν τὰς στροφὰς οὐ ῥῆδιον,

in quos van Leeuwen haec annotat: "Ad rem quod attinet, hiems vixdum praeteriit si veri temporis (Liberalium) habetur ratio, modo ingruit, si ficti (Thesmophoriorum)." Cf. quae p. 26 subnotavi.

⁸ Cf. Schömann-Lipsi *Griech. Alterthümer* II pp. 504-5; A. Mommseni *Feste der Stadt Athen* pp. 310 seq.

⁹ Id quod et vss. 374-6 confirmatur:

. . . εἶπε Σωστράτη·
ἐκκλησίαν ποιεῖν ἔωθεν τῇ μέσῃ
τῶν Θεσμοφορίων

et 948-9: δταν ὄργια σεμνὰ θεῶν ἱεραῖς ὥραις ἀνέχωμεν, ἀπερ καὶ
Παῖσων σέβεται καὶ νηστεύει

nec non 983-4: παίσωμεν ὡ γυναῖκες οἵάπερ νόμος
νηστεύωμεν δὲ πάντως.

Et quidem mane esse praeterquam quod Mnesilochus vss. 78-9 dixerat:

ἐπεὶ νῦν γ' οὔτε τὰ δικαστήρια
μέλλει¹ καθίζειν

etiam inde concludimus quod nondum Thesmophoria agentes feminae convenerunt,² statuerant autem ἐῶθεν convenire;³ et minus certe inde quod et vss. 457-8 mulier dicit εἰς ἀγορὰν se debere abire ut coronas pactas nectat et vss. 577-8 Clisthenes asseverat id quod Euripides fecerat iam κατ' ἀγορὰν vulgus garrire, ante meridiem autem constat Athenienses negotia plerumque obiisse.

Tamen post primam esse lucem ex eo patefit quod vs. 2 dicitur:

ἀπολεῖ μ' ἀλοῶν ἀνθρώπος ἐξ ἐωθινοῦ.

Ἔως sane longitudinem aliquantulam habet; nunc autem ab eius initio nos distare poeta fingit necdum ad finem pervenisse.

Ante vs. 571 id quod Euripides fecerat in foro divulgatum erat,⁴ quo auctore? Agathon enim qui solus Euripidi conscius huius facinoris fuerat domum suam vs. 265 intraverat tragoediam nempe quam incohaverat perfecturus. Quocirca ipse Euripides apparet famam doli sui vulgavisse; is enim vs. 279 dixerat ἐγὼ δ' ἀπειμι (non εἴσειμι), unde non immerito iudicaverit quispiam parodo dextra eum a scaena abiisse, et cum Clisthenes qui eadem parodo ingressus est vss. 595-6 affirmat:

ληρεῖς ἐγὼ γὰρ οὐκ ἂν ἦλθον ἀγγελοῦν
εἰ μὴ 'κεκύσμεν ταῦτα τῶν σάφ' εἰδόντων

haud veri dissimile est de Euripide auctore spectatores cogitavisse. Quae cum ita sint, rumor ille iudicandus est post vs. 279 (quando Euripides in forum se receperat) percrebuisse.

¹ Cf. van Leeuweni notam: "primo mane haec dicuntur."

² Vss. 277-8 demum feriale signum super Thesmophorion conspicitur.

³ Cf. vss. 374-6.

⁴ Cf. vss. 577-8:

Κλ. καὶ νῦν ἀκούσας πρᾶγμα περὶ ὅμων μέγα
ὀλίγω τι πρότερον κατ' ἀγορὰν λαλούμενον

et 584-5:

Κλ. Εὐριπίδην φάσ' ἄνδρα κηδεστήν τινα
αὐτοῦ γέροντα δεῦρ' ἀναπέμψαι τήμερον.

Post vs. 654 (quo tempore Clisthenes abiit prytanibus facinus denuntiatur) Euripides de Mnesilochi periculo certior factus vs. 871 ut auxilio ei sit in scaenam redit; interim Clisthenes sive in senatum iam in curia sedentem ingressus seu senatu ad haec ilico convocato effecerat¹ ut prytaenes de senatus consulto² Scytham Mnesilochum in nervo custodiendo praeficerent.

Dum chorus vss. 947-1000 in scaena versatur Mnesilochus abductus et ligatus vs. 1001 rursus in scaenam inducitur; atqui haec vix longiore tempore ad perficienda egent quam quo versus hi in scaena recitantur. Itemque vss. 1008-81 dum Scythia abest per speciem storeae petendae re vera tamen ut Euripides introeundi occasionem nanciscatur haud plus intervalli sumendum est quam in scaena usurpatur.³

Dum chorus vss. 1136-59 cantat satis temporis praeterlapsum esse fingendum est ut Euripides in speciem aniculae vestitus saltatricem tibicinamque alicunde conduceret.⁴ Denique vss. 1202-9 dum Euripides Mnesilochum compedibus liberat et postquam ambo effugerunt Scythia cum saltatrice concumbit.⁵

His quae enumeravi intervallis constitutis nihil tamen causae est cur plus quam diem unum temporis dramatici sumamus; immo ne vesperi quidem in fine est, nisi fortasse e vss. 1177-8:

Εὐ. ἡ παῖς ἐμελλε προμελετᾶν ὧ τοξότα·
ὀρχησομένη γὰρ ἔρχεθ' ὡς ἄνδρας τινάς

colligendum est vesperi tenebras iam appropinquare.

Sed utcumque haec res se habet in ipsa fabula indicia praebeantur fore ut intra unum diem contineatur. Euripides enim dicit:

vss. 71: ὦ Ζεῦ τί δρᾶσαι διανοεῖ με τήμερον;

et 76-7: τῇδε θήμέρα κριθήσεται
εἴτ' ἔστ' ἔτι ζῶν εἴτ' ἀπόλωλ' Εὐριπίδης

et 83-4: κἂν Θεσμοφόροι μὲλλονσι περὶ μου τήμερον
ἐκκλησιάζειν ἐπ' ὀλέθρῳ

¹ Cf. vs. 929: Πρ. ὁδ' ἔσθ' ὁ πανούργος δὲν ἔλεγ' ἡμῖν Κλεισθένης;

² Cf. vs. 943: ἔχοντα ταῦτ' ἔδοξε τῇ βουλῇ σε δεῖν.

³ Quales extra scaenam actiones ideo fere neglexi quia nihil re vera ad rem temporalem pertinent. Cf. p. 59 n. 1.

⁴ Cf. vss. 1172 seq.

⁵ Cf. vss. 1193-8, 1210-11; et p. 66.

et 181-2: μέλλουσί μ' αἱ γυναῖκες ἀπολεῖν τήμερον
τοῖς Θεσμοφορίοις.

Et vss. 584-5 nuntiat Clisthenes:

Εὐριπίδην φάσ' ἄνδρα κηδεστήν τινα
αὐτοῦ γέροντα δεῦρ' ἀναπέμψαι τήμερον.

Deinde prytanibus de hoc certioribus factis reliqua fabula tam arte cum priore parte conexa est ut nusquam noctis intercedentis vestigium appareat.

Duae vero in hac fabula difficultates obviam fiunt quarum de altera disseruit Van Leeuwen, de altera apud editores sileri videtur.

Cum enim tota fabula interdiu agatur scrupulus van Leeuwen iniecius est quia faces vss. 280, 655, 726-30, 917, 1153 in actione adhibeantur. Ad vs. 655 enim haec annotat: "... nunc ut facum usus aliqui esse possit noctem ingruere sumamus oportet ...". Consuetudinis contra fuisse facibus in his feriis uti paene mihi inde persuasum est quod et mulieres facibus ardentibus in Thesmophorion vss. 280-1 tum introeunt cum mane esse nemo non fateatur¹ necesse est nec ut de inusitato² ibi narratur, et vss. 1148 seq. iterum velut de bene noto usitatoque dicitur:

Χο. ἤκετ' εὐφρονες Ἰλαοὶ
πόντιαι ἄλσος ἐς ὑμέτερον
οὐδὲ ἀνδράσιν οὐ θέμις εἰσορᾶν
δρῆγιά σεμνὰ θεοῖν ἵνα λαμπάσι
φαίνεται ἄμβροτον ὄψιν.

Itaque censeo ad ferias Thesmophoria aliquo modo faces pertinuisse, Aristophanemque consulto non temporis indicia sed ut in *Ranis*³ consuetudinem ferialem repraesentare.

Ex altera tamen difficultate expediri posse nos minus liquet.

Qui enim fit ut qui vss. 78-80 scripserit:

¹ Ipse enim van Leeuwen hoc confitetur; cf. pp. 28 seq., et 29 n. 1.

² Immo de multitudine feminarum ibi miratur Mnesilochus; cf. enim quae exclamat:

ὦ Θρῆττα θέασαι, καομένων τῶν λαμπάδων
ὅσον τὸ χορὴν ἀνέρχῃ ὑπὸ τῆς λιγνύος.
ἀλλ' ὦ περικαλλεῖ Θεσμοφόρῳ δέξασθέ με κτέ.

³ Cf. p. 40.

νῦν γ' οὔτε τὰ δικαστήρια
μέλλει καθίζειν οὔτε βουλῆς ἐσθ' ἔδρα
ἐπεὶ τρίτῃ ὅστις Θεσμοφορίων ἡ μέση

idem vs. 943 addere potuerit:

ἔχοντα ταῦτ' ἔδοξε τῇ βουλῇ σε δεῖν?

Consuetos enim esse Athenienses talibus feriis senatum non convocare ex illis apparet locis qui apud Gilbert, *Handbuch der Griechischen Staatsaltertümer*, vol. i¹, p. 307, n. 1 laudantur:

[Xen.] Ἀθ. πολ. 3, 2: ἐορτὰς . . . ἐν δὲ ταύταις ἡττόν τινα δυνατὸν ἐστὶ διαπράττεσθαι τῶν τῆς πόλεως.

Dem. *Orat.*, 24, 26: οὔτε γὰρ ἐξέθηκε τὸν νόμον οὐτ' ἔδωκεν εἰ τις ἐβούλετ' ἀναγνοὺς ἀντεπεῖν οὐτ' ἀνέμεινεν οὐδένα τῶν τεταγμένων χρόνων ἐν τοῖς νόμοις ἀλλὰ τῆς ἐκκλησίας ἐν ᾗ τοὺς νόμους ἐπεχειροτονήσας οὐσης ἐνδεκάτῃ τοῦ Ἐλαφιβολιδῶνος μηνὸς δωδεκάτῃ τὸν νόμον εἰσήνεγκεν εἰθὺς τῇ ὑστεραίᾳ καὶ ταῦτ' ὄντων Κρονίων καὶ διὰ ταῦτ' ἀφειμένης τῆς βουλῆς, διαπραξάμενος μετὰ τῶν ὑμῖν ἐπιβουλευόντων καθέζεσθαι νομοθέτας διὰ ψήφισματος ἐπὶ τῇ τῶν Παναθηναίων προφάσει. . . .

(Cf. etiam ib. 29: καὶ νόμου κειμένου μήτ' ἰδίᾳ μήτε κοινῇ μηδὲν ἀλλήλους ἀδικεῖν ἐν τούτῳ τῷ χρόνῳ μηδὲ χρηματίζειν ὃ τι ἂν μὴ περὶ τῆς ἐορτῆς ᾖ.)

Arist. Ἀθ. πολ. 43, 3: συνάγουσι . . . τὴν μὲν βουλὴν ὅσαι ἡμέραι πλήν ἑάν τις ἀφέσιμος ᾖ.

Plut. *Alcib.* 34: . . . τὰ Πλυντήρια τῇ θεῷ . . . ὅθεν ἐν ταῖς μάλιστα τῶν ἀποφράδων τὴν ἡμέραν ταύτην ἀπρακτὸν Ἀθηναῖοι νομίζουσιν.

Athen. 4, 171 E: εὐρίσκω δὲ καὶ ψήφισμα ἐπὶ Κηφισοδώρου ἀρχοντος Ἀθήνησι γενόμενον . . . ἔχον οὕτως· Φῶκος εἶπεν, ὅπως ἂν ἡ βουλὴ ἀγῇ τὰ Ἀπατούρια μετὰ τῶν ἄλλων Ἀθηναίων κατὰ τὰ πάτρια, ἐψηφίσθαι τῇ βουλῇ ἀφεῖσθαι τοὺς βουλευτὰς τὰς ἡμέρας ἄσπερ καὶ αἱ ἄλλαι βουλαὶ διαφεῖνται ἀπὸ τῆς ἡμέρας ἧς οἱ Προτένθαι ἀγοῦσι πέντε ἡμέρας.

Nec hanc senatus mentionem pertinere ad contaminationem duarum fabularum quarum altera *Νηστεία* altera τοῖς Καλλιγενεῖσι ageretur qua Zielinski hanc fabulam esse affectam ex morum mixtura probare conatus est¹ inde videtur mihi patere quia non solum ἡ *Νηστεία* sed procul dubio etiam τὰ Καλλιγένεια nefastorum dierum numero habebantur.²

¹ Cf. *Die Gliederung der Altattischen Komödie* pp. 79 seq. Non autem hanc discrepantiam memorat.

² Id quod Zielinski videtur p. 82 n. 1 iudicare.

Anne solvitur haec quaestio Xenophontis et Athenaei verbis iterum perpensis? Animadvertere enim licet illum non dicere nihil omnino feriis agi sed minus posse tunc agi, hunc vero repertum esse quondam senatus consulto opus fuisse ut senatus Apaturia sicut antea observaret. Quae cum ita sint ecquid a recta ratione abhorret statuere etiam festis diebus potuisse senatum convocari si repente necesse fieret? Prius autem quam has rationes ulterius deducam aliud est rogandum, possitne de eiusmodi actione in hac fabula agi quae Graece ἐνδειξις nominabatur. Ea enim quae et Harpocraton statuit: ἐνδειξις εἶδος δίκης δημοσίας ὑφ' ἣν τοὺς ἐκ τῶν νόμων εἰργομένους τινῶν ἢ τόπων ἢ πράξεων εἰ μὴ ἀπέχοντο αὐτῶν ὑπὴγον et Suidas in novissima parte notae: ὁμοίως (ἐνδείκνυσιν) καὶ τὸν ἀντιποιούμενον πράξεων ἢ τόπων ἀπηγορευμένων τοῖς νόμοις . . . ad eiusmodi aliquid videntur spectare quod in hac fabula Mnesilochus fecit, quamquam J. H. Lipsius¹ de ἐνδείξει disputans ad τοὺς ἀτίμους hanc actionem restringit, id quod vix ex auctoribus supra laudatis sequatur necesse est.

Verum alio quoque modo ea quae in fabula aguntur cum iis quae de ἐνδείξει dicuntur consentiunt; Mnesilochum enim ἐν τῇ στανίδι vinctum recordati audiamus quae Demosthenes eloquitur:² . . . οὐθ' ὅσων ἐνδειξις ἐστὶν ἢ ἀπαγωγὴ προσεγγέγραπτ' ἀν ἐν τοῖς νόμοις "τὸν δ' ἐνδειχθέντα ἢ ἀπαχθέντα δησάντων οἱ ἑνδεκα ἐν τῷ ξύλῳ" εἴπερ μὴ ἐξῆν, κτέ.

Postremo autem notandum est ut in ἐνδείξει³ ita in *Thesmophoriazusi* nihil πρόσκλησιν opus fuisse.

Si autem concessum erit et ἐνδείξιν in *Thesmophoriazusi* versari et senatum etiam festis diebus ad repentina negotia consideranda convocari potuisse tunc erit probandum non a consuetudine abhoruisse prytanes ad senatum de ἐνδείξεσι referre; nec quod sciam materia nobis praebetur qua hoc argumentis bonis stabiliatur. Non igitur quo probata haec existimem profero verum doctioribus examinanda; egomet puto Aristophanem inscium vel lapsu quodam hic sibi ipsum haud constitisse.

¹ Cf. *Das Attische Recht und Rechtsverfahren* pp. 331 seq.; nec aliter Meier-Schömann-Lipsius, *Der Attische Process* pp. 270 seq., 286 seq.

² *Orat.* 24, 146.

³ Cf. quae Meier-Schöman-Lipsius p. 779 dicunt; J. H. Lipsius, p. 317.

4. *Ecclesiazusae*

Verum sive Aristophanes male sibi constitit seu non inauditam spectatoribus repraesentabat iudicalem actionem plane finibus diei unius fabula coeretur; neque aliter de *Ecclesiazusis* iudicandum est.

Quam fabulam mane ante primam lucem exordiri plurifariam ostenditur; Praxagora enim lucernam ferens¹ vss. 20-1 queritur:

καίτοι πρὸς ὄρθρον γ' ἐστίν·² ἢ δ' ἐκκλησία
αὐτίκα μάλ' ἔσται,

et vss. 82-5 sic hortatur amicas:

ἀλλ' ἄγεθ' ὅπως καὶ τὰπὶ τούτοις δράσομεν
ἕως ἔτ' ἐστὶν ἄστρα κατὰ τὸν οὐρανόν·
ἡκκλησία δ' εἰς ἣν παρεσκευάσμεθα
ἡμεῖς βαδίζειν ἔξ ἔω γενήσεται.

Cf. etiam vs. 105 verba τὴν ἐπιούσαν ἡμέραν.

Atque tam tenebricosum vss. 27-9 est ut discernere nequeat Praxagora utrum vir adveniat an mulier. Adde quod gallus modo secundum cecinit,³ feminae domibus 'egressae viros suos quorum vestes furatae sunt adhuc somno oppressos reliquerunt⁴ et tanto ante ecclesiae tempus usitatum⁵ convenerunt ut quae in ea acturae sint nunc praetemptare possint,⁶ neque postquam haec perfecerunt serius est quam ὄρθρος.⁷

¹ Cf. vss. 1 seq. Et Geusistrata taedam gerit; cf. vss. 49-50.

² Item vss. 526-7 Blepyrus quaerit:

πῶς οὖν ὄρθριον
ῥῆχου σιωπῇ . . .;

cui respondetur vss. 528-9:

γυνή μὲ τις νύκτωρ . . .
μετεπέμψατ'.

Huc autem accedunt ea quae chorus feminarum de hodierna ecclesiae occupatione vs. 290 dicunt (πρὶ πάντων τοῦ κνέφους) et vs. 288 (κατὰ σκότον).

³ Cf. vss. 30-1.

⁴ Cf. vss. 26-7, 33-40, 54-6, 74-7, 275, 311 seq., 526-7, 536-7, 541-2.

⁵ Cf. vss. 20-3, 84-9, 98-9, 289-92, 394-5.

⁶ Vss. 116-117, 118-284.

⁷ Cf. vss. 280-92, praesertim ὄρθριος vs. 283, κατὰ σκότον vs. 288, πρὶ πάντων τοῦ κνέφους vs. 290; et p. 12 n. 2.

Scaena a choro vs. 310 deserta mox Blepyrus Praxagorae vir *ἔωθεν*¹ ingressus secum et cum altero et rursus secum vss. 311-71 colloquitur; quae dum aguntur, ecclesia ut a Chremete vs. 372 ingresso certiores fimus habita est, quae ut mane inceperat ita mane erat dimissa.² In ea haec gesta sunt: Neoclides³ et Euaeon⁴ sunt contionati, tum Praxagora et ea quae vss. 171-240 spectatorum causa iam pronuntiarat⁵ et alia nonnulla verba fecit; cf. enim haec quae non in priore illa oratione tractarat: *τὰς μὲν γυναῖκας πόλλ' ἀγαθὰ λέγων σὲ δὲ πολλὰ κακά* (435-6), *ἕτερα τέ πλείστα τὰς γυναῖκας ἠύλογει* (454), et vss. 436-9, 441-4, 446-50, 452-3. Et quamquam resistentibus nonnullis⁶ sententia tamen feminarum vicit et in eam decretum est.⁷

Remotis nunc a scaena vs. 477 Blepyro atque amico chorus ecclesia iam dimissa denuo vs. 478 scaenam intrat; pauloque postea (vs. 500) Praxagora reversa viri sui vestes exuit (inter vss. 513 et 514), nec non Blepyrus ipse suis credo vestibus rursum amictus in iurgium vs. 520 prodit. Qui histriones usque ad vs. 727 in scaena partes suas agunt, cum Praxagora *εἰς ἀγορὰν* abscedit ut bonis privatis pro re publica acceptis convivium hodie celebrandum comparet.⁸

Breve esse intervallum dum chorus inter vss. 729 et 730 saltat inde fortasse conicias quod is qui vs. 729 domum abiit bona sua in publicum collaturus vs. 730 foras exit id agens; verum cum e vss. 834-52 patefiat iam in vesperum diem vergere⁹ plus intervalli inter

¹ Cf. vs. 312.

² Stomachatus quod pecuniam non acceperat (cf. vss. 380-2) in maius distortet id quod de dimissionis tempore affirmat vs. 377 (*δοθῆναι μὲν οὖν*) ut vss. 389-91 cognoscitur: nam et ibi idem facit; a Blepyro enim rogatus: *οὐδ' ἔρ' ἂν ἐγὼ λάβοιμι νῦν ἐλθὼν*; respondet: *πόθεν; οὐδ' εἰ μὰ Δία τότ' ἦλθες ὅτε τὸ δεύτερον ἀλεκτρονὰ ἐφθέγγετο*. At id temporis, ut e vss. 30-1 scimus, ne mulieres quidem ecclesiam inierant.

³ Cf. vss. 397-404.

⁴ Cf. vss. 408-21.

⁵ Cf. vss. 427 seq.

⁶ Cf. vss. 432-3, 518-9.

⁷ Cf. *ἔδοξεν* vss. 455, 492; *δέδοκται* vs. 457; *τὰ δόξαντ'* vs. 553. ⁸ Cf. vss. 711-16.

⁹ E nuntiae verbis vss. 834 seq. compertum est cenam illam iam esse paratam ideoque sero diei esse; cf. vss. 838-50:

. . . αἱ τράπεζαι γ' εἰσὶν ἐπινευσημέναι

ἀγαθῶν ἀπάντων . . .

. . . ἐμβὰς δὲ κείται καὶ τρίβων ἐρριμμένος.

vss. 729 et 730 interiectum esse sumamus oportet. Atque interea et innotuit cunctos in animo habere bona sua conferre et ille intus satis diu remoratus est ut quae in triviis vulgus garriebat comperiret.¹

Postquam et ille et alter vss. 871 et 876 cenatum abscesserunt a choro inter vss. 876 et 877 dum convivae recumbunt saltatur.

Licet καθ' ὑπερβολὴν ducas vetulam, legibus novis spe voluptatis redintegrata, convivas captantem vs. 877 secum queri:

τί ποθ' ἄνδρες οὐχ ἤκουσιν; ὦρα δ' ἦν πάλαι,

nihilominus ad vesperum esse suspicamur, neque immerito: vs. 934 enim iuvenis a cena introit ebrius et taedam ferens;² nec non Blepyrus cum ab ancilla vss. 1112 seq. quaesitus ad cenam exit taedam gerit;³ iam dudum plus triginta milia, cuncti nempe praeter Blepyrum, cenaverunt.⁴

Quae cum ita sint non est dubium quin haec fabula mane exorsa in vesperum eiusdem diei desinat.

Sed ut in *Thesmophoriazusis* sic in *Ecclesiazusis* poeta ipse secum discrepat. Ut supra enim vidimus, Praxagora quae modo ex ecclesia illa rediit vss. 714-16:

ἐμὲ γὰρ ἀνάγκη, αἰτ, . . .
 . . . καταστῆσαι . . . τὰ ξυσσίτια
 ὅπως ἂν εὐωχῇσθε πρῶτον τήμερον,

quod convivium in fine fabulae extra scaenam poeta curat habendum. Non igitur facere possumus quin reamur de uno die Aristophanem ipsum cogitavisse.

Manifestum vero reddit ecclesiam illam in qua feminae rei publicae compotes factae erant virorum tantum specie quidem tenus fuisse, nec quicquam in ea aliud negoti gestum esse quam ut feminis imperium traderetur. Virorum tantum apparuisse ecclesiam esse inde certum est quod et Chremes non nisi viros putat se vidisse⁵ et

¹ Cf. vss. 769-774 et 805-6.

² Cf. vs. 948: πεπωκὼς ἐρχομαι, vs. 978: δῶδ' ἔχω. Idem ex vss. 893 seq., 938 seq., 952 seq. colligimus.

³ Cf. vs. 1150: ἔχω δέ τοι καὶ δῶδα ταυτηνὶ καλῶς.

⁴ Cf. vss. 1132-3, 1136.

⁵ Cf. vss. 383-7, 427-433.

mulieres vestes viriles non ante vs. 507 deponunt; quocum congruit id quod mulieres vs. 492 commemorant:

τὸ πρᾶγμ' . . . ὁ νῦν ἔδοξε τοῖς πολίταις.

Porro tantum de tradenda re publica ibi actum est; Chremes enim qui usque ad finem ecclesiae aderat¹ de rebus in ea decretis vss. 372 seq. referens cum a Blepyro vs. 455 rogatus est: τί δῆτ' ἔδοξεν; hoc solum nuntiat:

ἐπιτρέπειν γε τὴν πόλιν
ταύταις.

Ita Blepyrus ea quae audierat cum Praxagora vss. 553, 555 communicat:

οὐδ' ἄρα τὰ δόξαντ' οἶσθα;
ὁμῖν δέ φασι παραδεδοῖσθαι τὴν πόλιν.

Huc accedit quod feminae cum inter Praxagoram et viros duos de muliebri consilio disceptatur velut de re adhuc integra Praxagoram ita vss. 577 seq. cohortantur:

δεῖται γάρ τοι σοφοῦ τινος ἐξευρήματος ἢ πόλις ἡμῶν.
ἀλλὰ πέραινε μόνον
μήτε δεδραμένα μήτ' εἰρημένα πῶ πρότερον.

Atque ipsa Praxagora eodem fere modo vss. 583 seq. orationem suam exorditur.

Hactenus igitur pro comperto habemus unam fuisse ecclesiam in qua viri soli et pseudoviri interfuerunt, quam ob causam nihil ultra quam ut traderetur res publica constitui potuisse.

At postea non semel audimus de legibus a feminis latis quae bonorum collationem, promiscuum conubium, ordinem coeundi statuerunt. Cui rei cumulantur testimonia; cf. enim: κατὰ τοὺς δεδογμένους νόμους (759); τοῖς νόμοισι . . . τοῖς δεδογμένοις (762-3); τὸ ταπτόμενον (766, 767): ταῦτα τῇ πόλει δοκεῖ (854); κατὰ τὸν νόμον (944); δοκεῖ (986); ψήφισμα (1013), ἔδοξε ταῖς γυναῖξιν (1015); τοῖς . . . νόμοις τοῖς ἡμετέροις (1022) anicula loquente; τοῦτον τὸν νόμον (1041); τὸν νόμον (1049); τῶν γραμμάτων (1050); ὁ νόμος (1056); κατὰ τὸν νόμον (1077). Et quidem ipsa Praxagora iam vss. 711-24 post longam disputationem de novis propositis habitam quasi de iam constitutis haec loquitur:

¹ Cf. vss. 376-7.

βαδιστέον τὰρ' ἐστὶν εἰς ἀγορὰν ἐμοί,
 ἴν' ἀποδέχωμαι τὰ προσιόντα χρήματα . . .
 . . . ἐμὲ γὰρ ἀνάγκη ταῦτα δρᾶν ἡρημένην
 ἄρχειν, καταστήσαι τε τὰ ξυσσίτια
 ὅπως ἂν εὐωχῆσθε πρῶτον τήμερον . . .
 . . . ἔπειτα τὰς πόρνas καταπαῦσαι βούλομαι
 ἀπαξαπάσας. . . .

Haec vero eadem sunt de quibus vss. 590 seq. (de bonorum consortio), 614 seq. (de uxorum communicatione), 673 seq. (de publicis cenis) ut nondum ratis disseruerat.

Quando autem latae sunt hae leges? Tempus ei rei perficiendae Aristophanes non dedit. Cum enim ecclesia illa tantum ut feminae re publica potirentur censuerit hae novae leges, siquidem latae sunt, in altera ecclesia latae sint necesse est; at ad hoc aut altero die opus fuisset aut altera eodem die ecclesia; verum neutrius rei ulla occasio a poeta data est.

Eodem pertinet investigatio temporis quo Praxagora imperator creata sit; iam enim antequam in ecclesiam inierunt feminae constituerant imperatorem eam facere si prospere res sua successisset; cf. vss. 246-7:

καὶ σε στρατηγεῖν αἱ γυναῖκες αὐτόθεν
 αἰρούμεθ' ἦν ταῦθ' ἀπινοεῖς κατεργάσῃ,

et *στρατηγὸν* eam ex ecclesia cum redierunt vss. 491, 500 vocant; nec non ipsa vs. 517 τῆς ἀρχῆς ait ἦν ἄρτι κεχειροτόνημαι quasi in ecclesia hunc honorem adepta sit.¹

Si tamen a viris esset electa cur Chremes cum Blepyro viro eius vss. 372 seq. de rebus in ecclesia gestis colloquens de hac tam inopinata re tacet? Si non a viris, quonam tempore et quo loco est electa ut Blepyrus vs. 727 noverit eam *στρατηγὸν* esse? Certe in scaena nihil ille quidem audivit quo hoc cognoscere posset.²

¹ Iterum vss. 714-15: ἐμὲ γὰρ ἀνάγκη ταῦτα δρᾶν ἡρημένην
 ἄρχειν.

Etiam Blepyrus — mirabile dictu — vs. 727 sese τὸν τῆς στρατηγοῦ appellat quamquam nihil de hoc officio audivit nisi haec incerta Praxagorae verba (vss. 714-15), quae *ἄρχοντα* potius quam *στρατηγὸν* eam esse indicarent.

² Et dum pertinaciter rationem temporis dramatici ab Aristophane repetimus illud quoque haud alienum esse crediderimus rogare, videlicet quo tempore ἀνὴρ α'

C

Adhuc quattuor fabulas inspeximus quas ultra diem poeta extendit, quattuor quae intra diem coartantur, in duabus tamen discrepantiis repertis; nunc ad tres reliquas progrediamur quas licet intra unum contineantur diem¹ tamen ob res divinas magicasve in re temporali adhibitas a ceteris fabulis placitum est segregare.

1. *Ranae*

In terra fabula *Ranae* initium capit et sane prope ab Herculis domo, atque tempus initii perinde est incertum ac locus.

Dionysus autem longum iter praesagire videtur; dicit enim vss. 108-14:

ἀλλ' ὥνπερ ἔνεκα τήνδε τὴν σκευὴν ἔχων
ἦλθον κατὰ σὴν μίμησιν, ἵνα μοι τοὺς ξένους
τοὺς σοὺς φράσειας εἰ δεοίμην οἷσι σὺ
ἔχρῳ τόθ' ἡνίκ' ἦλθες ἐπὶ τὸν Κέρβερον,
τούτους φράσον μοι, λιμένας ἀρτοπώλια
πορνεῖ' ἀναπαύλας ἐκτροπὰς κρήνας ὁδοὺς
πόλεις διαίτας πανδοκευρίας.

Sed quam brevissimam quaerit viam.² Spretis autem iis quas per facetias Hercules vss. 120 seq. monstrat de longiore deinde certior fit; cf. vss. 136-7:

ἀλλ' ὁ πλοῦς πολὺς.
εἰθὺς γὰρ ἐπὶ λίμνην μεγάλην ἤξει πάνυ.

Monstris quoque scatentem regionem peragrarē oportebit,³ qua praeterita iuxta Plutonis aedes erit.

comperire potuerit (cf. vss. 771-4) omnes et constituisse bona sua in publicum conferre et in viis de hac re loqui, cum ipse ante vs. 564 in scaenam prodierit et usque ad chori saltationem inter vss. 729 et 730 actam eum mansisse inde patefactum sit quoniam et ei et Blepyro Praxagora causam suam destinarat probare atque disceptatione finita adhuc ille in scaena est (cf. ταῦτ' ἀρέσκει σφῶν; vs. 710); atque cum e scaena vs. 729 decedit domum suam intret statimque post eam saltationem foras exeat suppellectile secum ferens.

Porro unde in scaenam vs. 1128 incedit Blepyrus et quā de causa per ancillam a Praxagora inquirendus est siquidem una cum Praxagora vs. 727 εἰς ἀγορὰν abiit?

¹ At de *Avibus* v. pp. 48 seq.

² Cf. vss. 117-18.

³ Cf. vss. 143-51.

Itinere igitur longo perfecto vs. 312 demum perventum est ad finem.¹ Nunc in Orci tenebris versamur; cf. vs. 273: Δι. τί ἐστι τάνταυτοῖ; Ξα. σκότος καὶ βόρβορος.²

Quapropter et quod in Eleusiniis feriis taedis utebantur Athenienses³ choreutae nunc utuntur.⁴

Etsi histriones qui Dionysi et Zanthiae partes agunt usque ad parabasin (vss. 674-737) in scaena consistunt interea duae sunt extra scaenam actiones ad quas intervalli nonnihilo opus est.

Aeacus enim qui vs. 478 se proripuerat ut gorgones arcesseret vs. 605 tres ministros reducit; atqui vix plus temporis eum afuisse quam quo versus hi recitarentur haud iniuria intellegimus. Sed inter vs. 478 cum Aeaco in interiorem Orcum egresso nuntius de Dionysi adventu ad Proserpinam deferri poterat et vs. 503 cum Proserpinae ancilla in scaenam introit, regina illa terrestres cibos in pseudo Herculis delectationem paraverat. Cf. vss. 505-7:

Θε. ἐπεττεν ἄρτους, ἦψε κατερευκτῶν χύτρας
ἐτνους δὺ' ἢ τρεῖς, βοῦν ἀπηνθράκις' ὄλον,
πλακούντας ὦπτα κολλάβους . . .

et 509-11:

. . . καὶ κρέα
ἀνέβραττεν ὀρνίθεια καὶ τραγήματα
ἐφρυγε κῆνον ἀνεκεράννυ

et 517-8:

. . . ὁ μάγειρος ἤδη τὰ τεμάχη
ἔμελλ' ἀφαιρεῖν χή τράπεζ' εἰσῆρετο.

Haud longum intervallum hic requiritur, at sane longius quam ut intra versuum 479-502 recitationem coartetur.⁵

Vs. 673 Dionyso, Xanthia, Aeaco, servis in Plutonis aedes ingressis, dum parabasis vss. 674-737 redditur, inter Dionysum et

¹ Cf. vss. 438-40:

Χο. μηδὲν μακρὰν ἀπέλθης
μηδ' αὖθις ἐπανάστη με

ἀλλ' ἴσθ' ἐπ' αὐτὴν τὴν θύραν ἀφυγμένος.

² Inde quoque hoc manifestum fit quod Xanthia vss. 285 seq. simulare potest se monstra conspiciere quae Dionysus non conspicit.

³ Cf. Soph. *O. C.* 1048-9, et schol. ad loc. (ed. Papageorg.).

⁴ Cf. vss. 313-14, 339-40, 344, 351, 448, 1525.

⁵ Cf. p. 66 n. 6.

Xanthiam diiudicatur¹ Dionyso arbitrium de Aeschylo Euripideque mandatur² variaque de certamine futuro³ constituuntur.⁴

Nec diu exspectandum est dum habeatur id certamen; .cf. *ἀντίκα μάλα* (vs. 785), *ὀλίγον ὕστερον* (vs. 795).

Vss. 814-29 sequitur canticum inter quod vel etiam fortasse ante quod sacrificium paratum est⁵ et libra calculique.⁶

Exinde histriones in scaena ad vs. 1482 permanent; dum autem carmen vss. 1482-1499 a choro agitur Pluto Dionysum Aeschylumque intra aedes cenae adhibet⁷ atque nonnulla parat quae in terram reduces quibusdam vivis donent.⁸

Quamquam igitur et partim apud inferos haec fabula agitur viaque eo ferens longa primo videtur futura esse et cum semel in Orcum perventum est nec de die nec de nocte diutius potest dici nec ullum aut initii aut exitus temporis indicium est omnia tamen huius fabulae ita arte inter se coniuncta sunt ut deceat pronuntiare unitatem temporis haud secus in ea conservari atque in fabulis *Equitibus*, *Vespiis*, *Thesmophoriazasis*, *Ecclesiazasis*.

2. Pax

Nec aliter videtur censendum de fabula *Pace*.

Incerto quidem tempore initium capit; nam licet scarabaeus pridie emptus⁹ cibum nunc capiat¹⁰ tamen cum id totum diem faciat¹¹ ex ea re temporis vestigia nequimus reperire.

C. vs. 79 Trygaeus scarabaeo insidens in caelum vehi coepit,¹²

¹ Cf. vss. 669-71, 738-42. ² Cf. vss. 810-11. ³ Cf. vss. 797 seq.

⁴ Utrum tunc iuravit Dionysus iusiurandum quod Euripides ei vss. 1469-70 exprobat:

μεμνημένος νυν τῶν θεῶν οὐδ' ὁμοσας
ἢ μὴν ἀπάξειν μ' οἰκάδ' αἰροῦ τοὺς φίλους

an ante fabulam initam?

⁵ Cf. vss. 871-3.

⁶ Cf. vss. 1365 seq., 797, 1263.

⁷ Cf. vss. 1479-81.

⁸ Cf. vss. 1504-7.

⁹ Cf. vss. 72-3.

¹⁰ Vss. 1 seq.

¹¹ Cf. vss. 25-8

¹² Vss. 80-1: ὁ δεσπότης γὰρ μου μετ' ὅπως αἰρεται
ἱππηδὸν ἐς τὸν ἀέρ' ἐπὶ τοῦ κανθάρου.

Cf. vss. 103-4: τί δ' ἄλλο γ' ἢ

ὥς τὸν Δί' ἐς τὸν οὐρανόν;

et vss. 111-2, 126 seq., 135-6, 161, 172 seq.

iter quod e vss. 150-1¹ tridui fore putarem nisi solitus esset Aristophanes his vulgatis militaribus² verbis *τριῶν ἡμερῶν*, interdum plane haud stricta temporis ratione habita, illudere; cf. enim A 197:

καὶ μὴ 'πιτηρεῖν σιτί' ἡμερῶν τριῶν

E 1078-9:

Δη. *τούτους ὁ μισθὸς τοῖς ἄλω πεκίλοισι ποῦ;*

Αλ. *ἐγὼ ποριῶ, καὶ τοῦτον ἡμερῶν τριῶν*

V 242-3:

Χο. *χθὲς οὖν Κλέων ὁ κηδεμῶν ἡμῖν ἐφείτ' ἐν ὥρᾳ
ἤκειν ἔχοντας ἡμερῶν ὀργὴν τριῶν πονηράν*

P. 311-12:

Χο. *ἀλλ' ἀκούσαντες τοιοῦτου χαίρομεν κηρύγματος,
οὐ γὰρ ἦν ἤκειν ἔχοντας σιτί' ἡμερῶν τριῶν*

ib. 716:

Τρ. *δσον ῥοφήσει ζωμὸν ἡμερῶν τριῶν.*

Nec ab Aristophanis ingenio abhorret in hac fabula qua bellum usquequaque increpat pacem laudat, horum militarium verborum etiamsi minus rei dramaticae conveniunt hic illic reminisci. Quare et quoniam alibi indicia intervalli tanti desunt ioci tantum causa puto eum his tam usitatis verbis tam absurda in re hoc loco abuti.

Trygaeus autem paulum moratus dum cum filiabus colloquatur vss. 154 seq. denuo scarabaeo incitato vs. 177 tandem iuxta deos³ se esse sentit. Cf. vss. 177-8:

¹ Vss. 150-1: *ὁμῆς δέ γ' ὑπὲρ ὧν τοὺς πόνοὺς ἐγὼ πορῶ
μὴ βδέεττε μὴδὲ χέεσθ' ἡμερῶν τριῶν.*

² Cf. Thuc. 1, 48, 1: *λαβόντες τριῶν ἡμερῶν σιτία*, Xen. *Anab.* 7, 2, 4: *τριῶν ἡμερῶν σιτία*, *Cyrop.* 5, 3, 35: *τὰ ἐπιτήδεια τριῶν ἡμερῶν λαβόντες*, ib. 6, 2, 38: *τῶν . . . προειρημένων ἡμερῶν τὰ ἐπιτήδεια ἔχειν*, nec non schol. in Ar. A 197, E 1079 (1077 Dind.), V 243, P 312 (311 Dind.). Quo addere licet Thuc. 7, 43, 2: *παραγγείλας . . . πέντε ἡμερῶν σιτία*, Xen. *Hell.* 7, 1, 41: *ἔχων ἐπτά ἡμερῶν τὰ σιτία*.

³ Usque ad vs. 819 difficilis est rei scaenicae ratio; quia scilicet Trygaeum quamvis in caelum vectum re vera haud longe ab orchestra potuit poeta submovere, permixta re scaenica histronem illum nunc cum caelestibus nunc cum terrestribus colloquentem facit. Nostra autem solum refert Trygaeum nunc in caelo esse, ut identidem monstratur (cf. enim vss. 103-4, 111-12, 126 seq., 135-6, 161, 177 seq., 720, 725, 819-41, 847, 852-4), choreutas contra in terra versari; cum enim eos sicut Trygaeum ad superos vehendos poeta non curaverit pedibus eos incedere necesse est ponamus.

ἀτὰρ ἐγγὺς εἶναι τῶν θεῶν ἐμοὶ δοκῶ
καὶ δὴ καθορῶ τὴν οἰκίαν τὴν τοῦ Διὸς.

Quo in loco remanet usque ad vs. 729.

Interea autem duas statuit Aristophanes extra scaenam actiones quas mirum quanta brevitate conficit. Haud enim mortali celeritate Cydoemus e caelo Athenas Lacedaemonaque profectus et eo et in caelum rursus intra paucissimos versus¹ pervenit, quippe qui Polemi mandatis ταχύ <πάνυ> (261), ἀνύσας τι; . . . ἡκέ νυν ταχύ (275) colaphisque (256) incitatus esset.²

Cum vss. 292–5 Trygaeus confidat nunc priusquam pistillum alterum fabricetur³ Pacem ex antro erui posse cetera fabulae sine mora perfici Aristophanem fingere veri simile est.⁴

Nisi autem iam divinam potentiam tantum in hac fabula valere intellexissemus miraremur fortasse qui fieret ut Παρέλληνες isti⁵ e Boeotia⁶ Argis⁷ Lacedaemonia⁸ Megaris⁹ Athenis¹⁰ modo vss. 296–300 acciti iam vs. 301 praesto fierent.¹¹

Rursum vss. 538–40 et 554 divinitus haec peragi sentimus:

ἴθι νυν ἄθρει
οἶον πρὸς ἀλλήλους λαλοῦσιν αἱ πόλεις
διαλλαγεῖσαι καὶ γελῶσιν ἄσμεναι
ὥς ἅπαντ' ἤδη 'στὶ μεστὰ τάνθάδ' εἰρήνης σαπρᾶς.¹²

Qualibus in actionibus nimis accuratam terrestremque ut ita dicam temporis rationem a poeta exigere nequimus.

Trygaeus vs. 728 scarabaeo interim remoto causam habet cur alia via descensusur occasionem choro det parabasis canendae; qua vss. 729–818 perfecta histriones in scaena usque ad vs. 1126

¹ 263–7, 276–9.

² Cf. pp. 56 seq.

³ Vs. 288 dixerat Polemus: ἐγὼ δὲ δοῦνκ' εἰσιῶν ποιήσομαι.

⁴ Eodem spectant verba τῆμερον (306), ἡμέρα . . . ἥδε (304), τὴν νῦν ἡμέραν (435), ὧ ποθεῖνῃ . . . ἡμέρα (556).

⁵ Vs. 302.

⁸ Vs. 478.

⁶ Vs. 466.

⁹ Vss. 481, 500.

⁷ Vss. 475, 493.

¹⁰ Vs. 503.

¹¹ Verum more suo non diu Aristophanes chorum suum exspectare cogitur. Cf. p. 54.

¹² Bene mihi videtur suadere H. Sharpley (*The Peace of Ar.*, n. in vs. 539 praesertimque praef. p. 28), poetam αἱ πόλεις locutum choreutas alium ex alia urbe contractos significavisse.

minutis profectionibus vss. 939-41, 943-7, 950-5, 1034-6¹ exceptis manent.

Inter vss. 855 et 868 aqua ad lavandum genialique lecto paratis² Opora lavatur, reliquaue in nuptias necessaria parantur, ut vss. 868-70 patet:

ἡ παῖς λέλονται . . .
ὁ πλακοῦς πέπεται σησαμῇ ξυμπλάττεται
καὶ τῆλλ' ἀπαξάπαντα.

Tum festinare Trygaeus et servus,³ inter vss. 1022-39 ovis intus trucidari,⁴ Trygaeus ligna scindere,⁵ mensam afferre,⁶ ut vix speciem iusti temporis poetam praebere conari suspicemur.

Postquam histrionibus remotis chorus vss. 1127-90 cecinit nuptias Trygaei et Oporae iam vss. 842-4, 868-70 inceptas nunc celebrari manifestum vss. 1191-2 fit ac multos iam cenae intus⁷ adesse:

Τρ. ἰὸν ἰού·
ὅσον τὸ χορῆμ' ἐπὶ δείπνον ἦλθ' ἐς τοὺς γάμους.

Et ipse Trygaeus vs. 1315 domum intrat⁸ cenaturus; vs. 1329 iam epulatus in scaenam prodit uxoremque evocatam in fine fabulae rus secum abducit.

Iam noctis tenebras adesse e vss. 1316-17 arguitur:

Χο. εὐφημεῖν χορὴ καὶ τὴν νύμφην ἔξω τινὰ δεῦρο κομίζειν
δῶδός τε φέρειν.

Ut rumor de nuptiis per oppidum divulgaretur amiceque in cenam nuptialem convenire constituerent occasio vss. 729-818 data est

¹ Tryg. vs. 1033 fato: καὶ τὴν τράπεζαν οἴσομαι, domum ingresso, chorus vss. 1034-6 velut de absente loquitur; rediisse autem eum vs. 1037 inde constat quod chorus verbo παύσῃ praesentem alloquitur.

² Cf. vss. 842-5, 868-70.

³ Cf. p. 57.

⁴ Cf. vss. 1020-1, 1039 seq.

⁵ Cf. vss. 1023-6, 1032.

⁶ Cf. vs. 1033.

⁷ Intra aedes cenam esse paratam demonstrari potest e vss. 1207-8 (εἰσῖτε ἐπὶ δείπνον), 1265-7 (τὰ παιδὶ' . . . ἐξέρχεται . . . τὰ τῶν ἐπικλήτων δεῦρ' ἵνα ἄττ' ἔσεται προαναβάληται), 1302 (ἀλλ' εἰσώμεν).

⁸ Cf. vs. 1302.

cum Opora iam vss. 706-7 desponsa Trygaeus a scaena dum chorus parabasin cantat intus afuit; omnia vero ante vs. 868 a servo parata sunt.¹

Tum vss. 1127-90 inter alteram parabasin Trygaeus ipse videtur cenae suae praesto fuisse. At quam ob rem vss. 1193 seq. aves et alia foras coquit? Propterea opinor quod pluribus quam opinio fuerat congregatis² plus cibi est acquirendum. Sed dum Trygaeus hoc negotium suscipit intercedunt gratulantes et plorantes; interim autem cena intus perpetuo celebrata pueri duo exeunt ut quae cantaturi sunt ante experiantur. Denique Trygaeus, ut van Leeuwen³ censet, domum rursus ut cenam ad finem perducatur intraturus omnia quae coquebat choreutis, quibus sane in aedes inire non licebat, nunc donat; dein intus remoratus vs. 1329 demum foras exit sponsam suam rus secum ablaturus.

Postremo tractandi sunt vss. 1198-1206, 1210, 1212-1213; quamquam enim quae hic dicuntur, velut:

οἴμ' ὥς προθέλυμνον μ' ὦ Τρυγαῖ' ἀπώλεσας

et ἀπώλεσάς μου τὴν τέχνην καὶ τὸν βίον
καὶ τοῦτο καὶ τοῦ δορυξοῦ 'κεινοῖ

et πρὸ τοῦ
οὐδεὶς ἐπρίατ' ἂν δρέπανον οὐδέ κολλύβου,
νυνὶ δὲ πεντήκοντα δραχμῶν ἐμπολῶ

intervallo dierum aliquot idonea essent, haud minus rebus omnino uno die mutatis conveniunt, itaque quam penitus non quam diu mutatae res sint discimus.⁴

Omnibus igitur rebus quas attuli perpensis tempore diei incerto fabulam intellegimus exorsam vesperi eiusdem diei ad finem perducitur.

¹ Cf. p. 44 n. 2.

² Cf. vss. 1191-2 ubi Trygaeus modo e domo qua iam cenatur egressus vociferat:

ἰὸδ ἰὸδ.

ὅσον τὸ χρῆμ' ἐπὶ δειπνον ἦλθ' ἐς τοὺς γάμους.

³ Ad vs. 1306.

⁴ Cf. 7.

3. *Aves*

Restat fabula *Aves*, in qua denuo ita in res magicas tamquam immergimur ut iniquum sit rationem temporis a poeta exactam, dumtaxat in rebus caelestibus, repetere.¹

E vss. 103-6;

Ευ. κῆτά σοι ποῦ τὰ πτερὰ;

Επ. ἐξερρήκε. Ευ. πότερον ὑπὸ νόσου τινός;

Επ. οὐκ, ἀλλὰ τὸν χειμῶνα πάντα τῶρνεα

πτερορρυεῖ τε καὶδὲς ἕτερα φέομεν

hieme haec agi poetam fingere enucleamus; certe posthac (vss. 1309 seq.) plumae in Pisthetaeri usum abundant.²

Sed non monemur a quo diei tempore fabula initium capiat, nec ideo quod Tereus lusciniæque obdormierunt³ conicere possumus;

¹ Prius autem quam de tempore scribo intellegendum est ubinam gentium scaena locata sit. Primo igitur in terra Pisthetaerus Euelpidesque apparent esse loco ignoto quo pedibus pervenerint (cf. vss. 5-11, 35, 42), plus quam milibus centum Athenis distante (cf. vss. 5-6), neque in Graecia nunc esse (cf. vs. 409: *ξέλω σοφῆς ἀφ' Ἑλλάδος*) verum ad Tereos domum (cf. vss. 15-16, 46-7, 100-1, alibi). Notanda quoque sunt illa terrae signa: τὸ δένδρον (vs. 1), ὅπου γῆς ἐσμεν (vs. 9), κατὰ τῶν πετρῶν (vs. 20), ὁδὸς et ἀτραπὸς (vs. 22), τὴν πέτραν (vs. 54), λίθον (vs. 56), τὴν ὄλην (vs. 92). Verbum igitur *ἀνεπτόμεσθα* tantummodo ut cum scaena personisque congruens sit vs. 35 adhibetur non ut verum exprimat, ut e verbis *ἀμφοῖν ποδοῖν* evidens fit; sic etiam vs. 34 *σοβοῦντος* dicitur atque id genus complura alia per totam fabulam quae enumerare supersedeo. Hactenus ergo in terra versamur; verum paulatim in aëra scaena transfertur; cum enim vs. 155 interrogat Tereus Euelpides: οὗτος δὲ δὴ τίς ἐστ' ὁ μετ' ὀρνίθων βλος; iam de regione ab avibus culta id est aëre cogitare incipimus, et vs. 175 tandem plane in loco altiore scaenam esse certiores fimus quando Pisthetaerus Terea iubet: βλέπον κάτω . . . βλέπε νυν ἄνω atque percontatus quid videat audit: τὰς νεφέλας γε καὶ τὸν οὐρανόν. Postea confirmatur haec opinio; cf. πᾶν τοῦτ' ὃ μεταξὺ περιτειχίζειν (vss. 551-2); ἐντεθειλὲς ἐκ τῶν νεφελῶν καὶ τῶν μετεώρων χωρίων χαῖνόν τι πάνν (vss. 817-19), κήρυκα δὲ πέμψον τὸν μὲν ἐς θεοὺς ἄνω ἕτερον δ' ἄνωθεν αὐ παρ' ἀνθρώπους κάτω (vss. 843-4); ἀνεφθάρης (vs. 916), vss. 172-93, 970, alios multos.

Constet igitur in posteriore saltem fabulae parte in aëre esse scaenam.

² Postea autem cum vss. 1046-7 psephismatopola minatur:

καλοῦμαι Πεισθέταιρον ὕβρεως ἐς τὸν Μουνιχιῶνα μῆνα

non dubium est quin de vero tempore Aristophanes hic scripserit; Liberalibus enim mense Elaphebolione fabula est docta (cf. *Arg.* II) circa duodeviginti diebus ante Kalendas Munichionis. Cf. p. 69 n. 6.

³ Cf. vss. 81-2, 203, 208, 209 seq.

tantum in vss. 658-9 lucis aliquid videmus: quoniam enim chorus Terea hortatur:

τούτους μὲν ἄγων μετὰ σαντοῦ
ἀρίστισον εὖ

antemeridianum tempus diei esse putamus.¹

Prima quidem pars huius fabulae (vss. 1-1469) uno continetur die: ab initio enim usque ad primam parabasin, quae in vss. 676-800 consistit, histriones haud e conspectu abeunt; inter eam non solum homines per radiculam illam pennis instruuntur² sed ut e vs. 838 (τοῖσι τειχίζουσι) concludi potest posteaque certius redditur, Pisthetaerus muros aedificari imperat. Ad quod opus perficiendum contrahuntur triginta milia gruum a Libya (1136-7), ciconiarum decem milia (1139), triginta accipitrum milia (1179), plurimae aliae aves: κρέκες (1138), χαραδριοὶ καὶ τᾶλλα ποτάμι' ὄρνεα (1141), ἔρωδιοι (1142), χῆνες (1145), νῆτται (1148), χελιδόνες (1151), πελεκᾶνες (1155), aliae (1181). Quae scilicet magica celeritate ad novam urbem volant.³

Parabasi autem cantata rursus in scaena histriones adsunt ad alteram parabasin (vss. 1058-1117); et quoniam modo ante eam sacrificari coeptum est extemplo post eam de eodem sacrificio nuntiatur, haudquaquam magnum temporis intervallum hic intericitur necdum supra diem extenta est fabula.

¹ Et opinor recte; atqui licet haec verba ἀριστον, ἀριστᾶν, ἀριστίζειν, ἀριστοποιεῖσθαι id temporis de meridiano fere prandio Attici usurpaverint (cf. Hermannii *Lehrb. d. Griech. Antiq.* iv³ pp. 127-9) tamen propterea non nimis in iis niti licet quia ipse Aristophanes alias iis alio de tempore utitur. In *Avibus* enim (an cum vero tempore vs. 1499 res est?) postquam vs. 1499 dixit Pisthetaerus: σμικρόν τι μετὰ μεσημβρίαν (ἔστί) idem vss. 1601-2 legatis pollicetur:

. . . κἂν διαλλαττώμεθα
ἐπὶ τοῖσδε, τοὺς πρέσβεις ἐπ' ἀριστον καλῶ.

In *Av.* 786-9 apparet de eo tempore verbum ἡρίστησεν adhibuisse quod fere in medium diem incidit. Ceterum in *Eccl.* 348-9 de mane agitur; cum enim tempus ecclesiae ineundae sit alter de histrionibus alterum sciscitatur de uxore ὁρθρῳ egressa:

μὴν ἐπ' ἀριστον γυνή
κέκληκεν αὐτὴν τῶν φίλων;

² Cf. vs. 649-55, 801-8.

³ Nullius momenti verbum δεκάτην (vss. 922) censeo esse; nam ut pp. 57 seq. demonstratur e celeritate pendet omnis haec scaena. Itaque nihil aliud quam id quod nostra lingua "name-day" vocatur poeta ibi significat.

Ceterum nonnulla aguntur extra scaenam ad quae perficienda longius temporis spatium crediderimus esse necessarium, nec non ipse Aristophanes velut de longiusculo tempore praeterito loquitur. Miracula enim quaedam omittamus — adventum poetae, oraculorum venditoris, Metonis, episcopi, psephismatopolae, aedificationem murorum,¹ quae omnia ridiculi causa tam festinanter accidisse facit Aristophanes;² vss. 1199 seq. demum ideo suspicamur iam aliquatenus tempus processisse quod dei Irim ad homines demittunt ut sacrificia intermissa instaurari imperet. Nondum tamen clare haec res patefit; vss. 1262–8 planius cognoscitur; choreutae enim ita gloriantur:

ἀποκεκλήκαμεν διογενεῖς θεοῦς
 • μηκέτι τὴν ἐμὴν διαπερᾶν πόλιν,
 μηδέ <γέ> τιν' ἱερόθυτον ἀνὰ δάπεδον ἔτι
 τῇδε βροτῶν θεοῖσι πέμπειν καπνόν.

Interea autem requiescente hac re nuntius ad terram c. vs. 847 demissus³ nunc vs. 1271 ad aves redit allaturus quae in terra post Nephelococcygiam conditam gesta sint. Vss. 1274–5 enim:

στεφάνῳ σε, αἰτ, χρυσῶ τῷδε σοφίας οὐνεκα
 στεφανοῦσι⁴ καὶ τιμῶσιν οἱ πάντες λεῶ,

et vss. 1286–91:

πρῶτον μὲν εἶθ' ὅς πάντες ἐξ εὐνῆς ἅμα
 ἐπέτονον θ' ἔωθεν ὥσπερ ἡμεῖς ἐπὶ νομόν,
 κἄπειτ' ἂν ἅμα κατήραν ἐς τὰ βιβλία·
 εἴτ' ἀπενέμοντ' ἐνταῦθα τὰ ψηφίσματα·
 ὠρνιθομάχουν δ' οὕτω περιφανῶς ὥστε καὶ
 πολλοῖσιν ὀρνίθων ὀνόματ' ἦν κείμενα,

denique vss. 1300–3:

ἦδον δ' ὑπὸ φιλορνίθιας πάντες μέλη
 ὅπου χελιδῶν ἦν τις ἐμπεποιημένη
 ἢ πηνέλοψ ἢ χήν τις ἢ περιστέρα
 ἢ πτέρυγες ἢ πτεροῦ τι καὶ σμικρὸν προσήν.

¹ Comperire porro gestire nobis licet undenam sacerdos tam subito Chaerisque et haedus (cf. vss. 849, 851 seq., 857, 863, 855, 890, 901–2, 959, 1057) adsint; nec non coquus (cf. vs. 1637) subselliumque (cf. vs. 1552).

² Cf. pp. 56 seq.

³ Cf. vss. 843–5.

⁴ Quo dicto procul dubio Athenienses qui rei publicae fere omnes intererant continuo de senatus consultis populivae scitis cogitaverunt.

Cum igitur audimus coronam decretam, consuetudinis apud homines factum ut cum e lectis mane surrexissent ad libros volarent ceteraque illa, diebus aliquot videntur egere ea quae in terra gesta sunt, quamquam ut iam p. 47 vidimus omnia adhuc uno eodemque die necessario evenerunt.

Exinde sine pausa progreditur actio ad vs. 1469; ast cantico vss. 1470-93 peracto denuo tempus fugisse monemur¹ ut Promethei verbis ita iis quae postea Pisthetaerus loquitur. Prometheus enim rogatus a Pisthetaero quo tempore Iuppiter perierit vss. 1515 seq. hoc responsum reddit:

ἐξ οὗπερ ὑμεῖς ῥκίσατε τὸν ἀέρα.
 θύει γὰρ οὐδείς οὐδὲν ἀνθρώπων ἔτι
 θεοῖσιν οὐδὲ κνῖσα μηρίων ἄπο
 ἀνῆλθεν ὡς ἡμᾶς ἀπ' ἐκείνου τοῦ χρόνου,
 ἀλλ' ὥσπερ εἰ Θεσμοφορίοις νηστεύομεν.
 ἀνευ θυηλῶν· οἱ δὲ βάρβαροι θεοὶ
 πεινῶντες ὥσπερ Ἰλλυριοὶ κεκριγότες
 ἐπιστρατεύσειν φάσ' ἀνωθεν τῷ Διὶ
 εἰ μὴ παρέξει τάμπόρι' ἀνεωγμένα
 ἵν' εἰσάγοιτο σπλάγχνα κατατετμημένα,

et post alterum canticum (vss. 1553-64) legatis qui per suffragium² creati erant ingressis novi aliquid Pisthetaero loquente discimus; seditione enim inter aves oborta³ nonnullas condemnatas interfectas esse et nunc in prandium coqui.⁴ Deos quidem iam p. 7 comperimus cito fame confici potuisse; at ob verba ἀπ' ἐκείνου τοῦ χρόνου et ob oppressam seditionem dies aliquot praeterisse videtur finxisse Aristophanes. Utinam autem certius edisseruisset. In prima quidem fabulae parte manifestum est intra diem cohiberi tempus, res autem in terra gestas plus quam hoc intervallum poscere videri. Et tamen haud scio an potius ipsi Atheniensium μεταβολὴ poeta ibi tamquam in aëre situs illuserit quam de rerum serie

¹ Nunc paulo post meridiem est (cf. vs. 1499 et p. 47 n. 1).

² Cf. vss. 1571, 1577-8.

³ Vss. 1014-15 nihil dum huius modi acciderat:

Με. μὴν στασιάσετε;
 Παι. μὰ τὸν Δι' οὐ δῆτ'.

⁴ Cf. vss. 1579-80, 1583-5, 1589-90, 1601-2, 1637, 1688-91.

exposuerit. Hic contra non obscure de rebus longinquis sed aperte ἀπ' ἐκείνου τοῦ χρόνου scribit de iis quae in Nephelococcygia gesta sunt. Qua re haud iniquum fuerit ponere Aristophanem hic de pluribus diebus cogitasse praeteritis dum scaena vacuefacta chorus vss. 1470-93 reddit; quamquam certe id statuere nequeo.

Ut cumque autem haec res se habet, quod reliquum fabulae est hoc eodem die videtur finiri; indutiis enim factis¹ Pisthetaerus vss. 1694-1705 dum canticum agitur ad Iovem advolat Basiliam-que uxorem acceptam vs. 1718 secum defert.

Ut verbo igitur comprehendam ea quae de temporali huius fabulae longitudine disputavi, nec initii nec exitus temporis² indicium datur, intervalli inter vss. 1470-1493 dierum aliquot a poeta sumpti vestigia quaedam nec tamen certa inveniuntur.

Iam igitur undecim Aristophanis superstitionibus comoediis perillustratis in quattuor vidimus poetam effecisse ut spectatores sentirent tempus dramaticum diem unum excedere, — nempe in *Acharnensibus*, *Nubibus*, *Lysistrata*, *Pluto*; — in *Avibus* quamquam ad unitatem temporis indicia maximam partem spectare tamen in utramque partem disputari posse; in reliquis vero fabulis, — *Equitibus*, *Vespis*, *Pace*, *Thesmophoriazusis*, *Ranis*, *Ecclesiazusis*, — unitatem temporis procul dubio conservari.

II

Quo modo autem hanc unitatem effecerit et quidem fere solitus sit tempus dissipari prohibere paucis³ volo absolvere.

Polczyk⁴ quinque artificia apud recentiores comicos in unitate temporis servanda adhibita esse dicit; sed ipsum audi:

1. (p. 18) "Persaepe in primis fabulis personae scaenam introeunt ut spectatores quid iam pridem factum sit ideoque in spectatorum conspectum dari non possit aut colloquio aut soliloquio comperiant, quo facilius quae sequuntur intelligantur."

¹ Vss. 1630-1, 1683-4.

² Nisi quod ut supra diximus tempus est postmeridianum.

³ Paucis ideo dico quia in hac re vestigia Felschii Polczykique premens, qui iam quoad tragicos et novae comoediae auctores attinet plene disseruerunt, copiosius me eadem de re in Aristophane tractare vix tanti esse censeo.

⁴ Op. iam p. 1 n. 2 cit. pp. 18-39.

2. (p. 28) "Atque etiam id saepe spectant poetae ut res quae in quemlibet diem incurrere possunt hoc ipso die geri faciant perinde ac si hic dies aptissimus sit."

3. (p. 31) "Neque id silentio praetermittendum est quod poeta unitatis temporis observandae causa locorum et temporum intervalla ita negligit ut res vel intra brevius vel longius tempus geri faciat quam consentaneum sit."

4. (p. 38) "Praeterea poeta actiones quae intra unum diem finiri non possunt iam ante initium fabulae incipi facit."

5. (p. 38) "Eodem pertinet quod quo celerius actio progrediatur poeta saepissime personas eo temporis momento in scaenam producit quo actioni aptissimum esse videtur, quamquam personae etiam alio quolibet tempore in scaenam prodire possunt."

Ut exempla cuiusque horum artificiorum generis ex Aristophane sumam, primum licet personas protaticas in *Equitibus* Demosthenem et Niciam, in *Vespis* Sosiam Xanthiamque, servos duos in *Pace* nominare, qui ita in principio fabularum partes agunt ut postquam brevi inter se collocuti sint mox sine ambagibus de rebus iam antea gestis — Paphlagonis mancipati superbia dominatione, Philocleonis morbo remedioque in Aegina quaesito, cantharo heri empto — spectatores commonefaciant. Nec abest persona qui soliloquio hoc efficiat; testis esto Strepsiades de uxore filio aere alieno querens.

Secundi artificii minus in promptu sunt exempla. Ut quidem Boeotii latrones temperi impetum in Atticam facerent sane curavit Aristophanes; et fortasse probulum in *Lysistrata*, in *Ranis* mortuum existimaveris in hoc numero esse habendos, ceterum vix mihi videntur eodem modo in rem dramaticam inferri quo Io in Aeschyli *Prometheo*, nuntius Corinthius in Sophoclis *Oedipode Rege*, Aegaeus in Euripidis *Medea*, Hanno in Plauti *Poemulo*, Chremes in Terenti *Andria* — ut pauca ex multis proferam quae cuilibet tragoedias novasque comoedias recordanti in mentem venient; immo ad inferos aliquis abiens mirum iudicaverit ni mortuo occurrisset; probulum aerarium vel cottidie adire haud veri est dissimile. Atque fabulas omnes retractanti luce clarius fit dumtaxat in hac re minus apud Aristophanem fortuiti esse quam apud tragicos novaeque comoediae auctores.

Tertio autem, ut in tragoedia atque comoedia nova sic apud Aristophanem non erat inauditum actiones extra scaenam intra brevius tempus fingere quam re vera evenire potuerant.¹ Ut pauca vero exempla desumam, Amphitheus re vera haudquaquam minus diebus quattuor² in itinere illo stadiorum fere mille centum et

¹ Nec hoc loco eas actiones comprehendo quas ad longum intervallum aptas idcirco in fabulam intra perbreve spatium peragendas poeta intulit ut risum moveret. Cf. pp. 56 seq.

² Vss. 130-2 enim a Dicaeopolide iussus octo drachmis acceptis indutias Dicaeopolidi privatas efficere inter vss. 132 et 175 Spartam proficiscitur, indutias paciscitur, Athenas redit. Et usque in Lacedaemona eum iter fecisse manifestum poeta vs. 175 (ἀλλ' ἐκ Λακεδαιμόνων γὰρ Ἀμφίθεος ὄδῳ) reddit; atque terra non mari vss. 178-80, 185, quibus patet oppidum Acharnas eum praeterisse.

Antequam autem tempus huic itineri necessarium statuam unum est notandum: nullum esse indicium — neque in vss. 130-2 ubi iter imperatur neque in vss. 175 seq. ubi revertuntur est — rem comicam augere conari poetam itinere longo intra tam breve tempus coartando. Nihilo enim plus ludicri, quoad e verbis poetae hic illic conici potest, in hoc videtur esse quam cum in Soph. *Trachiniis* inter Trachin Euboeamque ultro citro commeatur. Currit quidem Amphitheus rediens, sed qua de causa? Quia (cf. vss. 176 seq.) irati Acharnenses, hoc facinus odorati, persequuntur. Quin etiam horum adventu confirmantur ea quae modo asserui. Nam si per incredibilem profectionis celeritatem poeta illuderet hi quoque deberent properare, quippe qui paene eodem tempore Acharnis, — iter secundum Thuc. 2, 21 stadiorum sexaginta, — quo Amphitheus adveniant. Sed re vera valde ad naturam vitamque adventus eorum fingitur, qui senectute infirmitateque correpti (cf. vss. 210 seq.) aegre fugientem sequuntur. Quod si iocari per nimiam Amphitheii festinationem Aristophanes voluit, quam occasionis fuit neglegens! Hoc enim facere licuit cum Dicaeopolis Amphitheum mercede conducebat et iter imperabat; sin tunc noluit, ad certe aliquid ludicri inferre debebat cum Amphitheus regressus periculum itineris novissimum narrabat; aut denique Acharnensibus in scaenam profectis vel unus versus suffecisset quo cum fulmine Amphitheus compararetur vel si quid aliud ostenturum erat quo modo praeter Acharnas vix prae velocitate aspectabilis volasset. Sed huiusmodi nihil dicunt, multa de senectute sua, de poenis Amphitheo destinatis.

Non igitur ludibundus Aristophanes iter longum tanto temporis spatio conficiendum Amphitheo mandat. Quo probato ad quaestionem redeundum est quantum fuerit ei itineri tempus iustum, ad quam solvendam profecerimus forsitan si ea recordamur quae Xenophon (*Mem.* 3, 13, 5) Socratem narrat timenti Olympiam ire dixisse: “Nonne etiam domi,” ait, “totum fere diem ambulas? Item dum eo ibis spatiatius prandebis, spatiatius cenabis et obdormies; nonne novisti ambulationibus quas quinque aut sex diebus facis in longitudinem porrectis facile te Athenis Olympiam posse pervenire?” Quod iter Herodotus *Hist.* 2, 7 affirmat stadiorum mille quadringentorum octoginta quinque fuisse, stadiis fere 300 longius quam id

triginta quinque conficiendo eguisset. Itaque nuntius Megara perferri Megarensisque Athenas pervenire eodem die nequivisset; via enim Megaris Athenas circiter ducenta viginti stadia fert sive terra ille circumiit seu ut Lysias (*Orat.* 12, 17) διέπλευσε Μεγαροῦθεν. Et semel in maius distraxit moram dum in *Thesmophoriazusis* Scytham intro misit stoream petiturum verum diutius usitato

quod Spartam fert; hoc enim Isocrates *Orat. Paneg.* 87 mille ducenta stadia longum esse aestimat, Plinius *N. H.* 7, 20, 84 — si textui credendum — mille centum quadraginta. Si igitur amicus Socratis ille iter in Olympiam quinque diebus confecisset, 297 stadia vel miliaria Anglica 33 diebus singulis ambulasset; sin sex diebus, 247 stadia vel mil. Angl. 27 semis. Sic idem Spartam 4 aut 5 diebus pervenire potuisset. Ille autem quem diurnis solitisque ambulationibus uti Socrates hortabatur nimis cunctabundus tardusque esset prae legato nostro qui ἔσπευδε (cf. vs. 179). Tridui igitur haud amplius, aut etiam bidui iter esse arbitraremur alte praecinctis. Quin etiam exercitum iumentis, scarcinis, mulieribus impeditum constat e Xen. *Anab.* 1, 2, 11 (ἐν τρεῖσιν ἡμέραις ἐξελθόντες σταθμοὺς τρεῖς παρασάγγας τριάκοντα) tercentena stadia per dies singulos interdum transisse; immo vero de hoc ipso inter Athenas Spartamque itinere Isocrates *Orat. Paneg.* 87, recordatus procul dubio Herod. *Hist.* 6, 120, haec affirmat: φασὶ (sc. τοῖς Λακεδαιμονίοις) ἐν τρισὶν ἡμέραις καὶ τοσαύταις νυκτὶ διακόσια καὶ χίλια στάδια διελθεῖν στρατοπέδῳ πορευομένους. Quibus etiam velociores prodere antiqui potuerunt. Cf. Plin. *N. H.* 7, 20, 84: "Anystis . . . et Philonides . . . a Sicyone Elim uno die MCCCV stadia cucurrerunt," vix credibilem cursum; atqui in Rawlinson *Herod.* 1, 72 (vol. 1^a p. 197 n.) dicitur etiam hodie cursores quosdam Persicos mil. Angl. quinquagena diebus singulis transire posse nisi tempestate situve terrarum nimis impediuntur.

Hactenus contendi ut appareret biduo hoc inter Athenas et Spartam iter posse confici, vel quadriduo duplicatum. Etiam Aristophanem ipsum tantum temporis spatium mente sua finxisse censent Rogers, Blaydes, Van Leeuwen (qui tamen male sibi hoc loco confidit) vss. 51-3 et 66 collatis. Amphitheus ergo illis iudicibus viatico egens nunc a Dicaeopolide accipit quantum legatus vs. 61 introductus merebatur, id est "pro singulis diebus binas drachmas." Utrum fere tantam mercedem legati meriti sint necne, nihil ad rem; verum cum semel Amphitheum, a dis (cf. vss. 51-2) ad hoc opus constitutum, viatico poeta egere dixerit, dein legatum quendam binas drachmas in dies accepisse, Amphitheo vero legato ipsi facto octo drachmas solvi, vix possum facere quin rear eandem eum in animo quam antea stipendi rationem habuisse, praesertim cum et tot dies ita cum tempore ad iter illud conficiendum necessario congruant et insuper veri simile mihi videatur esse poetam qui in quinque aliis huius fabulae locis (nempe vss. 70, 85-6, 89, 92, 523-9 quos ad Herod. *Hist.* 7, 41; 1, 133; 2, 73; 1, 114; 1, 1-5 Christ-Schmidt in *Gr. Literaturgesch.* vol. 1^a p. 436 n. 4 Steinio praeunte dicunt spectare) Herodoti *Historias* per facetias imitatus sit hoc quoque loco cursum celerem Philippidis illius imitari, quem Herodotus *Hist.* 6, 105-6 autumat ab Atheniensibus Spartam missum altero die eo pervenisse.

idcirco facit intus cunctari quod Euripides interea in scaenam est producendus.

Quarti autem artificii specimina e *Lysistrata* et *Ecclesiazusis* desumo; in hac enim fabula feminae feriis Σκίππος (cf. vss. 17-18) constituerant hoc die convenire, in illa Lysistrata iam ante fabulam inceptam curarat feminas colligendas.

Postremo, nonnumquam quasi in promptu ideo poeta habet personas et choros quo "celerius actio progrediatur." In *Equitibus* enim ut semel vss. 143-6 manifestum redditur botulario opus esse, dictum factum obviam fit Agoracritus. Item in *Avibus* simulatque Pisthetaerus Iri repulsa vss. 1269-70 secum miratur nuntium ad mortales demissum nondum revertisse, en incedit nuntius. Itaque vix Demosthenes *Eq.* vs. 242 socios magna voce ut opem ferrent imploravit cum praesto fiunt. Et in *Pace* chorus Atticorum alienigenarumque mirum quam cito vss. 296-300 acciti iam vs. 301 alius aliunde accurrunt.

Quae cum ita sint eorum artificiorum quae Polczyk demonstravit novae comoediae sicut tragoediae propria esse nullum videmus veteri comoediae deesse.¹

Hactenus perpendimus quibus in fabulis unitatem temporis Aristophanis neglexerit, in quibus observaverit et quis rationibus,—id quod primum videlicet in mentem occurrit rem temporalem adgradientibus quia tam diu tamque diverse de hac re quoad tragoediam attinet disceptatur. Ceterum ulterius progrediendum est et aliae res in quaestionem vocandae si rite de Aristophane, qui adhuc a viris doctis tantum ut neglegens rei temporalis notatur,² iudicium facturi sumus.

¹ Quae omnia non cum Polczykii sententia faciunt qui haec in novissima tractationis suae pagina addiderat: "Quibus rebus expositis satis docuisse mihi videor quas artes poetae novae comoediae ad unitates et temporis et loci observandas adhibuerint. Quibuscum si quae Felschius invenit comparamus facere non possumus quin artificia et in tragoedia et in nova comoedia adhibita maxima ex parte eadem esse confiteamur. Hac in re igitur novam comoediam plane a tragoedia pendere concedendum est. At vetus comoedia nihil fere cum his artificiis commune habet quippe in qua ut rei factae species ita unitates loci et temporis plerumque neglegantur."

² Cf. p. 20 n. 2.

III

Nec denegandum est Aristophanem quippe qui uberrimo esset ingenio praeditus¹ interdum negligentius in re temporali versari, ut cum verba *τριῶν ἡμερῶν* in *Pac.* vs. 151² adhibet, *ἐχθές* in *Lys.* vs. 700,³ *ἀρτίως* in *Nub.* vs. 1149.⁴ In *Avibus* autem cum parabasis utatur priore tantum ut homines magica radícula alis instruantur murique aedificari coepti sint, posteriore ut sacrificium in scaena incohatum intra aedes perficiatur, deest tempus iis rebus quae in terra aguntur.⁵ In *Thesmophoriazusis* quamquam vss. 78-80 dictum est hodie senatum non sedere nihilominus vs. 943 prytanis senatum affirmat Mnesilochi vincendi esse auctorem.⁶ Nec in *Ranis* cum in Orco rem gerit impeditur Aristophanes quin lucem tenebras noctem diem misceat; cf. enim quae sine discrimine scribit:

vs. 155: *Ηρ. ὅψει . . . φῶς κάλλιστον ὥσπερ ἐνθάδε*

vs. 273: *Ξα. σκότος καὶ βόρβορος*

vs. 342: *Χο. νυκτέρου τελετῆς*

vs. 370-1: *Χο. . . . ὑμεῖς δ' ἀνεγείρετε μολπὴν*

καὶ παννυχίδας τὰς ἡμετέρας αἱ τῇδε πρέπουσιν ἑορτῇ

vs. 377: *Χο. ἡρίστηται δ' ἐξαρκούντως*

vss. 389-90: *Χο. καὶ μ' ἀσφαλῶς πανήμερον*

παῖσαι τε καὶ χορεύσαι.

vss. 447-8: *Χο. ἐγὼ δὲ σὺν ταῖσιν κόραις εἰμι καὶ γυναῖξιν*

οὐ παννυχίζουσιν θεᾷ φέγγος ἱερὸν οἶσων

vss. 455-6: *Χο. μόνοις γὰρ ἡμῖν ἥλιος*

καὶ φέγγος ἱλαρὸν ἔστιν.

At quinam, cum in regionem descendit ubi nec dies neque nox est, si inter noctem diemque ipse vacillare apparet, in hac re mortales eum possumus carpere? Sed gravius⁷ in *Ecclesiazusis* errat quia

¹ Hic enim mea sententia scaenicatorum Graecorum poetarum proximus ad nostratis Shakesperii indolem accedit.

² Cf. p. 42.

³ Cf. p. 9 n. 3.

⁴ Cf. pp. 31 seq.

⁵ Cf. p. 22 n. 1.

⁶ Cf. pp. 48 seq., 63.

⁷ Et priusquam negligentias in lucem proferre desinamus addere licet nauci non habuisse Aristophanem tempus quod aut ante aut post fabulam incidit. Quamdiu enim errabant Pisthetaerus Euelpidesque ante *Avium* initium si mille stadia am-

tempus legibus mulierum ferendis Praxagoraeque imperatori creandae non dat.¹

Adhuc accedat id quod commodi causa p. 65 de minore cura in intervallis constituendis infrequenter adhibita disseritur.

IV

Cum iam negligentias Aristophanis exposuerim ad rationes pergamus quibus usus intervalla in fabulis locaverit.

Et priusquam ad potiora adgrediar paucis velim de brevitate comica magicisque rebus absolvere. Interdum enim longiores actiones in brevius ideo coartatae sunt spatium ut cachinni spectatoribus commoverentur. Fortasse in *Ach.* vss. 1097–1142 huiusmodi aliquid fit dum servi mira cum alacritate efferunt varia quae Lamachus Dicaeopolisque postulant; at planius documentum e *Pac.* vss. 255 seq. capio. Cydoemus enim ob segnitiam vss. 255–6 correptus² raptim pistillum quaesitum primo Athenas demittitur; cf. vss. 259–62:

Πο. οἷσιν ἀλετρίβανον τρέχων; Κυ. ἀλλ' ὦ μέλε
οὐκ ἔστιν ἡμῖν· ἐχθὲς εἰσφκίσμεθα.

Πο. οὐκ οὖν παρ' Ἀθηναίων μεταθρέξει ταχὺ <πάνυ>;
Κυ. ἐγώ γε νῆ Δί'· εἰ δὲ μή γε, κλαύσομαι.

Et re vera festinat: vix enim Trygaeus vss. quinque pronuntiavit cum ille revertitur. Sed irritus reversus ad Lacedaemonios abigitur; cf. vss. 274–5:

plius vagati sunt? Quamdiu ante *Plauti* initium Chremylus et Cario qui in Attica immo ut videtur in urbe Athenis sunt necdum deposuerunt carnem coronasque quas e templo Apollinis videntur extulisse? Denique etsi fabula *Lysistrata* ante lucem primam exorditur tamen Lysistrata dicit se exspectare feminas ab ora maritima, ex Salamine, Acharnis, Boeotia, Peloponneso; et Calonica vs. 55 censet iam dudum oportere eas adesse. Vss. 65–6 introeunt rure Atticae, partim Ἀναγυροῦντόθεν, siquidem hoc verbo inniti licet, — nec enim hoc statuere possum nec utrum Κρησίας re vera (vs. 852) Παιονίδης sit an omnino fictus, ut van Leeuwen putat, e verbo κινεῖν; certe inscriptio anni 394–3 (*I. G.* II, 8) quae nomini Κρησίας nihil de demo adicit nihil opis fert.

Nec pluris faciebat poeta praecavere ne Lacedaemoniis uxores domum ducturis (cf. vss. 1182–7, 1223–4) tempus luxque deessent.

¹ Cf. pp. 36 seq.

² Πο. παῖ παῖ Κυδοιμέ. Κυ. τί με καλεῖς; Πο. κλαύσει μακρά.
ἔστηκας ἀργός; οὐτοσί σοι κόνδυλος.

Πο. οὐκουν ἕτερον δῆτ' ἐκ Λακεδαίμονος μέτει
ἀνύσας τι; Κυ. ταῦτ' ὧ δέσποθ'. Πο. ἤκέ νυν ταχύ.

Etiam ocius hoc iter conficit, quattuor enim tantum versibus interiectis rursus in caelo adest.

Ita vss. 937-62 properant Trygaeus et servus, ovem aram sacra ferre, facem quatere, hordea spargere: cf. haec:

Τρ. ἴθι νυν ἄγ' ὥς τάχιστα τὸ προβατὸν λαβών·
ἐγὼ δὲ ποριῶ βωμὸν ἐφ' οὗ θύσομεν.
Χο. ὥς πάνθ' . . . χωρεῖ κατὰ νοῦν, ἕτερον δ' ἑτέρῳ
τούτων κατὰ καιρὸν ἀπαντᾷ.
Τρ. ὥς ταῦτα δῆλὰ γ' ἔσθ'· ὁ γὰρ βωμὸς θύρασι καὶ δῆ.
Χο. ἐπείγετέ νυν . . . οὐκουν ἀμύλλησεσθον;
Τρ. . . . περίθι τὸν βωμὸν ταχέως ἐπιδέξια.
Οἱ. ἰδοῦ· λέγοις ἂν ἄλλο· περιέληλυθα.
Τρ. φέρε δὴ τὸ δαλίον τόδ' ἐμβάψω λαβών.
σείου σὺ ταχέως· σὺ δὲ πρότεινε τῶν ὀλῶν,
καὺτός γε χερνίπτου παραδοὺς ταύτην ἐμοί,
καὶ τοῖς θεαταῖς ῥίπτε τῶν κριθῶν. Οἱ. ἰδοῦ.

Cum tam incitati e scaena, ut vss. 938 et 949, abeunt, confidere possumus quam brevissimum tempus eos intus manere.

Item iocoso animo minutum vs. 1041 intervallum esse statutum dum servus viscera effert e verbis operantium patet:

Οἱ. ταυτὶ δέδραται. τίθεσο τῷ μηρῷ λαβών.
ἐγὼ δ' ἐπὶ σπλάγχχν' εἰμι καὶ θυλήματα.
Τρ. ἐμοὶ μελήσει ταῦτά γ'· ἄλλ' ἤκειν ἐχρῆν.
Οἱ. ἰδοῦ ἄρειμι· μῶν ἐπισχεῖν σοι δοκῶ;

Eodem autem modo Pisthetaerus et Manes plumas Av. 1311 seq. proferunt.

Sed haec parva; in *Avibus* post vs. 847 Euelpides nuntium ad homines demiserat; iam vs. 904 etiam priusquam nova urbs exaedicata est poeta advenit, de quo Pisthetaerus vss. 956-7 ita queritur:

τουτὶ μὰ Δί' ἐγὼ τὸ κακὸν οὐδέποτ' ἤλπισα
οὕτω ταχέως τοῦτον πεκύσθαι τὴν πόλιν,

iterum vss. 922-3:

οὐκ ἄρτι θύω τὴν δεκάτην ταύτης ἐγὼ
καὶ τοῦνομ' ὥσπερ παιδίῳ νῦν δὴ 'θέμην;

Cui poeta respondet vss. 924-5:

ἀλλὰ τις ὡκείᾳ Μουσάων φάτις
οἷά περ ἱππων ἀμαρνυά.

Item chresmologi mobilitatem Aristophanes irridet Metonisque nec non episcopi qui sorte se esse creatum simulat; ¹ cf. ea quae ille avium dux vss 1033-4 indignatur:

οὐ δεινὰ; καὶ πέμπουσιν ἤδη 'πισκόπους
ἐς τὴν πόλιν πρὶν καὶ τεθῆσθαι τοῖς θεοῖς.

Porro ipsa tam cita urbis aedificatio ludibrio habetur; postquam enim nuntius magnifice de muris exstructis, avibus plurimisque laborantibus disseruit, coryphaeus Pisthetaerum vss. 1164-5 percontatus:

οὗτος τί ποιεῖς; ἄρα θαυμάζεις ὅτι
οὕτω τὸ τεῖχος ἐκτετείχισται ταχύ;

responsum fert:

νῆ τοὺς θεοὺς ἔγωγε· καὶ γὰρ ἄξιον·
ἴσα γὰρ ἀληθῶς φαίνεται μοι — ψεύδουσιν.

Et in *Lysistrata* rei comicae prodest praeconem miserum Spartam et legatos inde Athenas ocus solito festinare. Cum enim Lampito idem iter factura esset Lysistrata dixerat vs. 243: σὺ μὲν βιάδιζε. At ambulatione nunc nihil opus est; itaque Atheniensi vss. 1009-10 hortato:

ἀλλ' ὥς τάχιστα φράζε περὶ διαλλαγῶν
αὐτοκράτορας πρέσβεις ἀποπέμπειν ἐνθαδί

vs. 1013 praeco respondet:

ποτάομαι· κράτιστα γὰρ παντὶ λέγεις.

Iam vs. 1072 igitur adveniunt legati, nec dubito quin incitato gradu in scaenam prodierint.

Verum praeterquam has res comica brevitate confectas etiam res divinas magicasque in fabulis offendimus, quibus terminos temporales certos ponere nequimus. Cum enim homines in aves mutandos curat poeta vel urbem in aëre exstruendam vel Chremylum a Pluto locupletandum vel Trygaeum ad superos vehendum vel Demum recoquendum, habenas Pegaso immittamus necesse est.

¹ Vss. 1022-3.

Sed in utrisque generibus diiudicandis aequum censeo esse e verbis poetae ipsius statuere utrum tale efficere velit necne; ac nisi quid in verbis ipsis reperiatur quod iocularem magicamve rem agi probet, rationem a poeta accuratam exigere constitui.

Ad inceptum autem redeo. Uti igitur veritatis species in tem- porali re tractanda aliquatenus servetur, loci ad intervalla¹ constituenda maxime idonei sunt cantica histrionibus e scaena digressis cantata, praesertim ea quae nihil ad rem dramaticam pertinent eoque certius mentes spectatorum a fabula breve tempus sevocant; omnium autem praestantissimus locus est parabasis in qua specie fabulae omnino in praesentia praetermissa ut specta- tores ipsos hortetur vel doceat opera a poeta datur.

A

Nunc igitur inspicimus quem ad modum actiones extra scaenam confectas carminibus Aristophanes obtexerit.

In *Acharnensibus* inter parodon (vss. 204-236), nullo in scaena histrione praesente, Dicaeopolis quae necessaria sunt ad Dionysia rustica agenda intus parat servosque et filiam excitatos docet. Dum parabasis autem vss. 626-718, scaena rursus vacante, canta- tur, foedus in columna incidendum curat Dicaeopolis, fama macelli Megara perlata Megarensis Athenas venit. Stasimo primo (vss. 836-59) histrionibus a scaena remotis tempus longius — fortasse duo menses² — poeta facit praeterlabi Boeotiumque Thebis pro- ficisci. Postremo dum stasimon tertium vss. 1143-73 de alienis rebus conficitur, Lamachus Boeotiam versus profectus latrones secutus saucius reportatus est, Dicaeopolis autem feriis *Xovolv* interfuit et vicit, ebriusque factus nunc cum duabus amicis in scaenam revertitur.

In *Equitibus* tria sunt notatione digna intervalla quorum primum et multo longissimum in quo Paphlago et Agoracritus apud senatores nunc huic nunc illi faventes disputant, Agoracritus corona dona- tur, sententiae dicuntur, Paphlago multo tumultu comprehenditur, Agoracritus varia coempta patribus distribuenda curat, in

¹ Actiones brevissimas, sicut cum Dicaeopolis domum init corbem carbonum (*Ach.* 328-30) elaturus, atque id genus multa, silentio praetereo.

² Cf. supra, pp. 16 n. 3 et 19 seq.

priorem parabasin (vss. 498-610) incidit. Dum altera parabasis vss. 1264-1315 agitur, Demus iuvenis aliquo modo ab Agoracrito factus in arce Atheniensium locatus est. Tertium autem intervallum dum cibos parant Paphlago et Agoracritus in stasimon incidit quod vss. 1111-1150 de Demo canitur; sed unus histrio in scaena interim manet nec intervallum longum est.

In *Nubibus* inter parabasin priorem (vss. 510-626) Strepsiades in schola Socratica satis diu moratus est ut manifestum Socrati faceret stultum se esse nec in studiis sophisticis quicquam profecturum; inter alteram vero parabasin (vss. 1115-1130) quinque aut sex dies intercesserunt Phidippidesque rudi a Socrate donatus est. Denique intus Strepsiades filiusque cenant dum vss. 1303-20 stasimon agitur.

In *Vespis* quoque tria sunt intervalla potiora. Vss. 1009-1121 enim choro parabasin reddente longissimum interiectum est intervallum dum tempus dramaticum a matutino in vespertinum mutatur. In priore vero stasimo (vss. 1265-91), in quo histrionibus amotis de Atheniensibus quibusdam nec non de certamine inter Aristophanem et Cleonem orto disseritur, convivium apud Philoclemona habetur, Philocleon temulentus factus molestum se nonnullis praebuit. Tertium spatium, dum scaena rursus vacua ab histrionibus facta domi bibitur et saltatur, in stasimon alterum (vss. 1450-1473) incidit.

In *Pace*, quamquam e natura fabulae difficilius fit tempora certe definire, actionum quae extra scaenam fiunt potiores sunt hae: parabasin vss. 729-818 choreutis agentibus Trygaeus e caelo in terram descendit amicosque, credo, de nuptiis futuris certiores facit; intra secundam parabasin (vss. 1127-90) multi ad nuptialem cenam congressi nunc convivantur, nec non pace recuperata tabernarii aliquot magna sive prosperitate seu calamitate affecti sunt.¹ Vss. 1316-28 scaena a histrionibus vacante Trygaeus ipse cenae nuptiali interest.

Ut *Aves* autem in praesentia omittam, in *Lysistrata* ut spatium quinque dierum veri similis videatur eo cantico utitur Aristo-

¹ Animadvertendum autem est, ut haec efficerentur ambas praebuisse poetam parabases et alia cantica vss. 856-67, 910-21, 939-55, 1023-38, intermixtumque dialogum.

phanes quod pro parabasi vss. 614-705 canitur; et priusquam Cine-
sias desiderio confectus prodeat stasimon primum additur, in quo
(vss. 781-828) de semichororum inter se disceptatione agitur, his-
trionibus utroque tempore a scaena absentibus. Similiter dum
praeco Lacedaemonius domum volat legatique Sparta Athenas
festinant atque Athenienses legati creantur duo cantica histrioni-
bus rursus a scaena dimotis poeta adhibet, quorum prius id car-
men est quod alterius parabasis (vss. 1014-42) vicem obtinet nec
de vera re dramatica agit sed de semichororum inter se reconcilia-
tione, alterum stasimon secundum est quod vss. 1043-1071 histri-
onibus nondum in scaenam reversis in spectatores ipsos intenditur.
Cuiusmodi est tertium stasimon quo ultimum intervallum vss.
1189-1215 — dum cena delectantur viri — obtegitur.

In *Thesmophoriazusis* autem dum fama Euripidis facinoris divul-
gabatur chorus quattuor cantica praebuit, parodon nempe vss. 295-
371 et tria carmina vss. 433-442, 459-65, 520-30, quae omnia histrio-
nibus praesentibus de re dramatica agebant. Ut Mnesilochus vero
vertigine laboret, Euripidesque de periculo eius certior factus sub-
sidio veniat, ac prytanis senatu auctore Scytham ad Mnesilochum
vinciendum adducat, quattuor chori carmina Aristophanes adhibet,
quorum tria (vss. 655-86, 699-701, 707-25) praesentibus histrioni-
bus acta ad rem dramaticam cohibentur, quartum (vss. 785-845)
quamquam praesente Mnesilocho tamen parabasis est. Dein
scaena vacante dum chorus stasimon primum vss. 947-1000 specie
feminarum more suo in Thesmophoriis ludentium agit, Mnesilochus
intus vincitur. Denique vss. 1136-59 dum secundo stasimo femi-
nae deos precantur Mnesilocho Scythaque in scaena manentibus
Euripides tibicinam et saltatricem nactus ipse se in aniculae
speciem exornat.

In *Ranis* tribus intervallis cantus accommodati sunt: dum enim
Aeacus ministros petit, duo cantica (vss. 534-48, 590-604) prae-
sentibus histrionibus a choro et persona singula canuntur; dum
et Dionysus Xanthiaque apud Plutonem et Proserpinam dino-
scuntur et Dionysio arbitrium certaminis mandatur nonnullaque
alia quae ad certamen pertinent constituuntur parabasis (vss. 674-
737) redditur spectatoribus; denique dum Aeschylus Dionysusque
intra aedes apud Plutonem cenant et dona aliqua quibusdam

Atheniensibus parantur, quintum stasimon vss. 1482-99 scaena ab histrionibus vacuefacta et de fabula et de Socrate choreutae cantant.

In *Ecclesiazusis* vero sicut in *Pluto* chori partes prae dialogo valde minutae sunt; post agona enim (vss. 571-709) nullum canticum exstat. Verbo χοροῦ tamen post vs. 729 iterumque post vs. 876 in codice *R* posito, et post vs. 1111 ab editoribus nonnullis¹ suppleto, saltationes chori canticorum vice intellegimus fuisse. Inter illam igitur saltationem quae post vs. 729 parabasis loco² exstat, maximum intervallum interici comperimus; non solum enim ἀνδρα α' bona sua colligere et rem iam per urbem divulgatam esse sed diem in vesperum nunc vergere, cenam parari. Dum autem inter vss. 876 et 877 choreutae saltant, cenant omnes Athenienses vesperi. Inter illam ultimam saltationem quae ab editoribus ponitur post vs. 1111 cena ad finem perducta est.

In *Pluto* quoque praeter parodon (vss. 253-321) nullum est chori canticum. Et dignum dictu est nullam esse in hac fabula meram saltationem quin absentibus histrionibus agatur.

Dum chorus igitur parodon vss. 253-321 et saltationem scaena vacua inter vss. 321 et 322 reddit, rumor de Chremylo subito locupletato per tonstrinas perlatus est. Ea autem chori saltatio quae inter vss. 626 et 627 intericitur in proprio parabasis loco existit;³ et commode hoc loco maximum locatur intervallum, nocte intercedente dum Plutus in Atheniense Asclepieum inductus sanatur, quo facto in mane pervigilatur. Saltationibus vero inter vss. 626-627 et 770-1 finitis Plutus a templo in scaenam ingreditur. Dum inter vss. 801-2 saltatur domus Chremyli divitiis completa est, servi nova luxuria lasciviunt. Et post saltationem inter vss. 801-2 habitam comperimus delatorem hoc die fame esse adfectum; post eam quae inter vss. 958-9 incidit diem iam in vesperum vergere; post eam autem quae versum 1096 sequitur Herme ingresso etiam caelestes fame laborare; denique post eam quam editores fere

¹ Cf. ΧΟΡΟΙ von Velsen, (ΧΟΡΟΙ) Blaydes, "saltat chorus" van Leeuwen, (Stasimon II) White (*The Verse of Greek Comedy*, p. 456). Certe hoc loco scaena ab histrionibus vacua est.

² Cf. Whitei op. cit. p. 455.

³ Cf. Whitei op. cit. p. 457.

inter vss. 1170-1 locant¹ sacerdotem paene fame confectum et templum multis intransibus iam esse defoedatum.

Fabulam *Aves* seposui ut in qua minus curiose Aristophanes intervalla tractaverit. Quoad enim res in *Nephelococcygia* gestas attinet parabasis abutitur quippe quarum priorem tantum ut magica radícula homines in aves mutantur atque — id quod postea conicimus — ut urbem aves incipiant extruere usurpet, alteram tantum ut sacrificium coram spectatoribus incohatum intra aedes finiatur. Veri autem similis fuisset ante priorem parabasin urbem aedificari imperare, nuntiosque ad deos hominesque dimittere.²

Verum ut ad quaestionem accedam quo modo carminibus actiones extra scaenam obtegendas poeta curaverit, intra vss. 851 et 902, dum histrionibus in scaena versantibus syzygia prima a sacerdote et choro redditur, ridiculi causa poeta lyricus alique *Nephelococcygiam* maurant ascendere. Dum autem murorum aedificatio in parabasi priore, ut videtur, incepta ad finem perducitur excubiaeque locantur, cum cantica vss. 851-8, 895-902 tum parabasis altera (vss. 1058-1117) adhibentur. Profectioni vero nuntii in terram, coronae donationi, imitationi apud mortales avium vitae, nuntii redditui assignantur et prima secundaque syzygiae et altera parabasis (vss. 851-8, 895-902, 1188-95, 1262-8, 1058-1117). Intra eadem haec et stasimon primum (vss. 1313-34) homines in *Nephelococcygiam* pervenire coeperunt.³ Post stasimon secundum (vss. 1470-93) quo histrionibus a scaena remotis Cleonymus et Orestes ludificantur, deos fame et discidio perturbatos post urbem conditam discimus. Avium seditio, de qua vss. 1583 seq. certiores fimus, quolibet tempore post parabasin alteram inceptam oriri potuit; at cum continuo memoretur post id tertiae syzygiae carmen quod vss. 1553-64 de rebus alienis — Socrate nempe et Pisandro — agit, consentaneum est concludere intra id carmen eam incidisse.

¹ Videlicet Hall et Geldart, Bergk, van Leeuwen, White, op. cit. p. 458 (Stasimon V.), ut paucos nominem. Atque ut in *Eccl.* vs. 1111 ita hic animadvertendum est post hunc versum histrionibus egressis inanem breve tempus scaenam esse relictam.

² Sed in hac fabula poeta ingeniosissimus videtur non flocci fecisse nec tempus nec spatium nec omnino verisimilitudinem.

³ Sed incertum est quo tempore Athenis profecti sint.

Postremo inter reliquum tertiae syzygiae canticum (vss. 1694-1705), quo Gorgias et Philippus iridentur, Pisthetaerus ut in caelum volavit pace inter aves et deos conciliata uxorem a Iove acceptam deducit.

Ut igitur paucis comprehendam ea quae de intervallis per cantica obtectis exposui, sequentia sunt animadvertenda:

1. In *Equitibus*, *Nubibus* (bis), *Vespis*, *Pace* (bis), *Lysistrata* (bis), *Thesmophoriazusis* longissimae extra scaenam actiones in parabases incidunt. In *Avibus* autem priore parabasi non bene utitur poeta; altera una cum aliis canticis etsi non in *Nephelococcygia* at in terra et apud deos longiores obtigit actiones. In *Acharnensibus* parabasis ad actionem parabasi quidem dignam operiendam adhibetur, longissimum tamen intervallum in stasimon primum videtur incidere. In *Ranis* duorum intervallorum potiorum utrum longius sit nequit discerni, neque magni id refert; ambo enim scaena ab histrionibus vacante canticis obteguntur quae nihil ad rem dramaticam pertinent, alterum parabasi, alterum eo carmine quo Socrates ludibrio habetur. Denique in *Ecclesiazusis* et *Pluto*, quibus desunt parabases, eae saltationes quae vice parabasis funguntur potissima intervalla operiunt. Maxima igitur ex parte parabasi quippe quae aptissima esset ad potiora intervalla celanda patet Aristophanem esse usum.

2. Sed aliud quoque canticorum genus, quo scaena ab histrionibus inani relictā sicut in parabasi de rebus a fabula alienis agitur, modo non aequè idoneum est ad intervalla occultanda atque ipsa parabasis. Cuiusmodi carminibus pluries Aristophanes utitur, videlicet semel in *Acharnensibus*,¹ *Vespis*,² *Ranis*;³ bis in *Thesmophoriazusis*;⁴ ter in *Avibus*⁵ et *Lysistrata*.⁶ Quo addendae sunt saltationes chori duae in *Ecclesiazusis*,⁷ sex in *Pluto*⁸ propterea quod per se ipsae spectatores delectantes nec ulla ratione ad rem pertinentes perinde mentes spectatorum a fabula breve tempus

¹ Vss. 1143-73.

² Vss. 1265-91.

³ Vss. 1482-99.

⁴ Vss. 947-1000, 1136-59 (cf. p. 65 n. 6).

⁵ Inter vss. 321-2, 770-1, 801-2, 958-9, 1096-7, <1170-1>.

⁶ Vss. 1470-93, 1553-64, 1694-1705.

⁷ Vss. 781-828, 1043-71, 1189-1215.

⁸ Inter vss. 876-7, <1111-12>.

sevocant atque id genus carminum modo memoratum vel stasima illa Agathonis.¹

3. Sed praeterquam haec duo genera quae ita rem gerunt ut mentes spectatorum a iusta re dramatica in res alienas convertant tertium quoque minusque commodum raro² adhibet Aristophanes in quo licet histriones a scaena absint tamen de fabula ipsa agitur. Cuiusmodi carmina quattuor³ omnino apud Aristophanem agnosco, videlicet *Ach.* vss. 836-59, *Nub.* vss. 1303-20, *Vesp.* vss. 1450-73, *Pac.* vss. 1316-28.

4. Quartum et pessimum genus est id quod histrionibus praesentibus de re dramatica agit; quale *Pac.* vss. 856-67 adhibetur dum Opora intus lavatur aliaque in nuptias parantur. At in *Avibus*⁴ recte Aristophanes et concinne hoc genus carminis usurpavit quo tempore illi mobiles circulatores intra breve tamque male opertum intervallum ad urbem novam properant.⁵

Quae cum ita sint⁶ haud a vero abhorret dicere Aristophanem plerumque carmina sua ad intervalla ut ita dicam leniendae bene disposuisse.

¹ Cf. Arist. *Poet.*, 1456^a 29 seq.: διὸ ἐμβόλιμα ἔδουν πρῶτον ἀρξάντος Ἀγάθωνος τοῦ τοιοῦτου. καίτοι τί διαφέρει ἢ ἐμβόλιμα ἔδειν ἢ εἰ ῥῆσιν ἐξ ἄλλου εἰς ἄλλο ἀρμόττοι ἢ ἐπεισόδιον δύν;

² Sane crebro talia carmina per fabulas adhibuit ita tamen ut raro solis eis uteretur ad intervalla operienda.

³ Nihil de eo cantico statuere possumus quod propter verbum ΧΟΡΟΤ post. *Nub.* (χοροῦ in cod. *Ven.*, χ in cod. *Rav.*) vs. 888 repertum choreutas conicitur cecinisse dum Socrates τῷ λόγῳ peteret.

⁴ Vss. 851-8, 895-902.

⁵ In *Equit.* vss. 1111-50 satis manifestum est maturare adulatores illos dum inter se contendunt uternam Demum officiiis cumulatis sibi adsciscat; et in *Ran.* vss. 534-48, 590-604 haud errat poeta talibus carminibus usus dum Aeacus abest ministros petitum, nam ipse vs. 478 minatus erat: δρομαίων ὁρμήσω πόδα. Quales actiones ut plane incitatae ita nullo artificio egent quo tempus interea praeteritum celetur.

⁶ Priusquam ab hac re discedam monendum est ideo carmen quod in *Thesm.* vss. 1136-59 continetur ad ea carmina p. 64 n. 4 me adieciisse quae histrionibus absentibus de alienis rebus agunt, quia etsi Mnesilochus et Scythia in scaena adsunt tamen nihil aliud agunt quam eventura expectant, et quoniam Mnesilochus idcirco victus erat ut praetereuntibus ludibrio esset, quantumvis intervallum eo in scaena manente animis fingere nobis licet.

B

Sunt autem sex longiores extra scaenam actiones quae etsi plane tempus datum natura superant tamen nullo cantico obtegentur.

Quarum maxime insignis est illa Amphithei in Spartam profectio; in *Vespis* inter vss. 1252-64 sumendum est cenam a servo intra aedes aut coqui aut iam coctam ad exportandam parari;¹ in *Thesmophoriazusis* inter vss. 1201 et 1210 Scythia cum saltatrice concumbit;² in *Ran.* inter vss. 478-503 rumore de pseudo-Herculis adventu ad Proserpinam perlato panem, ius, bovem solidum, placentas, aves, alia coquenda, vinum miscendum curavit;³ in *Ecclesiazusis* inter vs. 310 cum feminae in ecclesiam abiit et vs. 478 cum revertuntur, in ecclesia peracta sunt cum omnia quae vss. 171-240 Praxagora coram spectatoribus egerat tum alia complura;⁴ denique in *Pluto* Cario iussus cito agricolas accire vs. 229 rus longius⁵ profectus vs. 253 iam congregatos in scaenam inducit.

At ne has quidem actiones, exceptis exiguiissima illa inter *Vesp.* vss. 1252-64 sumenda et ea quae *Ran.* vss. 479-502 ponitur,⁶ omnino nullo artificio levatas Aristophanes reliquit. In *Acharnensibus* enim velut scaenae mutatio fit dum Amphitheo absente Theorus Thracesque ad tribunal vocantur dein dolo malo ecclesia a Dicaeopolide perturbata omnes praeterquam Dicaeopolis a scaena abeunt.⁷ In *Thesmophoriazusis* contra et *Ecclesiazusis* *Plutoque* scaena omnino aliquamdiu histrionibus vacat: in *Thesm.* enim Mnesilochus Euripidesque vs. 1209 e scaena exque conspectu prius sese facessunt quam Scythia redit; in *Eccl.* bis vacuefacta est scaena, et postquam chorus vs. 310 in ecclesiam abiit et postquam

¹ Cf. vss. 1250-2.

² Cf. vss. 1193-8, 1210-11.

³ Cf. vss. 504-11, 517-18.

⁴ Cf. p. 35.

⁵ Cf. p. 3.

⁶ Neque excusare possumus magicam divinamve facultatem; nimis enim terrestres sunt cibi, saltatrices, coquus; immo imperfecto in verbis tempore (cf. *ἐπερτεν*, *ἦν* 505; *ἀπηθράκυσ'* 506; *ῶντα* 507; *ἀνέβραρτεν* 510; *ἔφρυγε*, *ἀνεκέρωννυ* 511) haud puncto temporis haec esse acta ostenditur. Cf. p. 40.

⁷ Cf. quae R. G. Kent in *Trans. Am. Philol. Assoc.* vol. 37 (1906) p. 48 scribit: "... the dismissal of the assembly . . . leaves Dicaeopolis alone on the stage; this, with the consequent stoppage of the action of the play, gives the opportunity for the lapse of time necessary for Amphitheus' journey."

Blepyrus Chremesque vs. 477 exierunt; in *Pluto*, absente Carione rus iam misso, cum Chremylus et Plutus intra aedes vs. 252 se recipiunt nemo in scaena relinquitur. Scaena autem vacuefacta facilius fit ut tempus processisse quantum poeta voluit spectatores intellegant.

C

Hactenus de actionibus extra scaenam longioribus agitur; nunc restat ut paucis absolvam quem ad modum in *Pace* et *Ranis* duas eiusmodi in scaena intra brevius tempus coerendas Aristophanes tractaverit. In illa enim fabula cum Trygaeus ad superos coram spectatoribus esset vehendus, artificio aliquo praecavendum fuit ne citius videretur eo pervenire. Vide igitur quid poeta fecerit; non solum enim velut gradus altitudinis patefecit cum eques ille vss. 164-5 quae in Piraeo agantur simulat se intueri posse et vss. 177-8 iuxta deum aedes esse¹ verum etiam metris pausisque eodem consilio apparet usus esse. Ut enim Richteri verbis² utar:

"Iam quum supra suilis sepem exsurrexit sepes, non leni aequalique tractu in auras se attollit, sed abrupto, qui metro anapaestico conveniat, cursumque equi citatum, quem nostrates 'Galop' appellant, imitetur. Neque tamen cito assurgit Trygaeus sed lente saepiusque intermisso itinere. Ita v. 91-101 tantum moveri non attolli scarabaeum, v. 102-113 quiescere prorsus, v. 114-123 iterum moveri, v. 124-153 iterum quiescere vel ex metrorum vicissitudine perspicuum est . . . Primum igitur subsistit Trygaeus cum machina sua v. 90, cum servo altercaturus, ubi vix supra suile assurrexit; paullatim domus suae altitudinem aequat, quum filiae a servo excitatae e ianua proruunt singulae patremque cursum strenue tenere conspicatae metro loquuntur canuntve una omnes, quo ipsius cursus numerum significant. Mox depresso beluae ardore v. 124 sqq. placide cum patre in scarabaeo aurisque pendente singulae loquuntur. Pater fere dimidiam itineris partem confecit; reliquum iter a v. 154 eadem ratione conficitur, ita tamen, ut v. 157 sq. scarabaeus aut subsistat aliquantum aut etiam regredi videatur. Id quod v. 164-169 iterum fieri suspicor.

¹ Forsitan huc addiderit quis eodem pertinere quod vss. 173-6 fabula tamquam in parabasi omissa ad machinatorem scaenicum histrio se convertat.

² J. Richter, *Aristophanis Pax*, Berolini 1860, proleg. pp. 31-2.

Ex quo efficitur, ut . . . tempus profectionis satis ducatur; itur enim ad superiores."

Nec non in *Ranis* cum iter ad inferos quod longum fore et Dionysus existimaverat et Hercules dixerat ¹ omne in scaena conficiendum sit interruptum per colloquium cum mortuo vss. 170 seq. habitum poeta curavit; deinde cum aequor Stygium — *πλοῦν μακρὸν* — vss. 208-70 navigant, chori canticum — id quo iam liquet Aristophanem temporis processum plerumque obtexisse — per totam fere navigationem auditur.

Quae omnia cum in mentem nobis veniunt, videtur Aristophanes in ordinandis intervallis et extra scaenam et in scaena sumptis plus adhibuisse curae quam e verbis quorundam ² concludi potest.

V

Eo igitur quod de ratione intervallorum constituendorum dicere volebam iam absoluto, ad aliud pergo argumentum curae quam in comoediis conscribendis ad rem temporalem rite tractandam Aristophanes adhibuerit. In iis enim tribus fabulis quas a multa nocte constat initia sumere, operam sedulo dedit ut spectatores sentiant sensim et pedetemptim tempus a tenebris in lucem progredi.

Nubes enim ut supra ³ vidimus ante lucem primam exordiri nemo infitias ibit; gallus enim iam cecinit, luna adhuc fulget, lucerna ad codicillos legendos opus est. Mox tamen tempus paulum processisse monemur cum vs. 56 olivum defecerit; ⁴ atque plus plusque luce increscente iam vs. 59 lucernam ferens servus sese hinc facessit. ⁵ Vss. 91-3 tandem satis est lucis ut procul providere possint.

E *Vespis* autem clarius documentum profero. In cuius fabulae principio etiam atque etiam certiores finis ⁶ noctem esse: servi enim et Bdelycleon dormiunt, porro Sosia vs. 216 aperte *δρῶρον*

¹ Cf. pp. 39.

² Cf. p. 20 n. 2.

³ P. 8.

⁴ Van Leeuwen in ed. suae nota ad hunc vs. censet parcum senem poetam hic depingere nec non histrioni soliloquio interscisso respirandi locum dare; cui sententiae facile astipulor, nec tamen ea atque id quod ego supra disputavi inter se pugnant.

⁵ Cf. van Leeuweni n. ad loc.

⁶ Cf. p. 27.

βαθὺν esse autumat; cum iudices vs. 230 incedunt pueros secum habent qui per limosam viam¹ sibi praeluceant. Usque ad vs. 395 dormiunt custodes illi; interim vs. 366 commonefaciendos nos curavit poeta in ἔω processum esse. Verum ut semel ἔως fit celerius inde illucescit; qua re post vs. 414 pueri qui lucernas gerebant iudicum iussu² abscedunt.³

In *Ecclesiazusis* vero aequae atque in *Vespis* non modo variis ex indiciis⁴ sed verbis conceptis⁵ patefit δρῶν fabulam incipere; et iam vss. 84-5 praedictum est ecclesiam in quam feminae iturae sunt ἐξ ἔω γενήσεσθαι. Tandem postquam chorus e scaena vs. 310 exiit inque scaenam vacuam Blepyrus incessit in ἔω perventum est, ut e vs. 312 liquet: πρὸς ἔω enim ait Blepyrus νῦν γ' ἐστίν. Postremo cum feminae ex ecclesia redeunt verba vs. 496 δεῦρ' ἐπὶ σκιᾷ indicio esse puto iam in lucidiorem partem mane esse progressum.

VI

Nec tacenda sunt parva nonnulla per quae temporis condiciones quas ipse constituit praeter opinionem interdum servat; nivem dico in *Ach.* vss. 1141 et 1146⁶ et hiemem in *Av.* vss. 105-6 una cum plumas vss. 1309 seq. Nec praetereundum est cum semel lunam mane fulgere in principio *Nubium* fecerit id et cum mensis vicesimo die congruere si mensis una cum luna crescente exor- diatur, et cum colloquio illo nubium dearum cum luna habito;⁷

¹ Cf. vss. 248, 257, 259.

² Cf. vss. 408 seq.

³ Quonam consilio? Num Cleonem arcessituri? Certe id non faciunt. Potius ut in *Thesm.* vss. 762-4, 1007, *Pac.* vss. 720-6 aliisque id genus locis nonnullis aliam poeta obtendit causam, aliud ad rem dramaticam altius pertinens consilium in animo habet.

⁴ Cf. p. 34.

⁵ Vs. 20: καίτοι πρὸς δρῶν γ' ἐστίν. Cf. vss. 526-7: πῶς οὖν δρῶνιον ᾤχου . . .; et vs. 83: ἔρ' ἐστίν ἄστρα. . . .

⁶ Cf. pp. 18 n. 4, 46. Facile quidem inducor ut credam propter tempus anni quo fabulae docebantur poetam hiemem in fabulas *AE Av. T* intulisse, sicut compluries de vero tempore et quanto ab initio belli illius iam distarent et alia id genus etiam extra parabasin commemoravit; ut puta *A* 266, 378, 504; *E* 792-3; *P* 679-81, 989-90; *Av.* 1046-7. At in dramaticum usum haec temporis indicia in *Acharnensibus* *Avidusque* saltem convertit.

⁷ Cf. vss. 607 seq.

nam luna quae initio mensis crescere inceperit mane vicesimi mensis diei fulgens etiam antemeridiano diei tempore aliquamdiu in caelo manet. Nec minus pallor Phidippidae Atticusque vultus cum dierum aliquot intervallo quod Aristophanes in *Nubibus* constituit convenit. Et in *Vespis* cum luna nova sit¹ ideoque mane in caelo haud conspiciatur lucernis viatoribus opus est. Et fortasse addendum denique est quod in *Acharnensibus* nuntio Megara et Thebas allato is prior incedit qui propius ab Athenis habitat.

VII

Postremo digna sunt quae seorsum commemorentur signa clara et in aliquibus fabulis identidem nobis proposita ut temporis a quo initium fabulae capiunt ita temporis in quod desinunt. Nec singillatim debeo iterare ea quae ordine pp. 2-50 disputata de cuiusque fabulae initii et exitus tempore invenies; verum cursim iuvabit ea repetere. Ergo satis certo tempore initia fabularum *Ach.*, *Nub.*, *Vesp.*, *Lys.*, *Thesm.*, *Eccles.* Aristophanes constituit, minus certo fabulae *Equitum*; tempus exituum fabularum *Vesp.*, *Pacis*, *Lys.*, *Eccles.*, *Pluti* certum praestitit, fabularum *Ach.*, *Nub.*, *Avium* minus certum, in *Ranarum* vero exitu ex natura loci neque diem nec noctem cogitare possumus. Ut igitur uno verbo omnia haec comprehendam, sex fabularum ex undecim plus minus certo tempore Aristophanes constituit initia, exitus vero octo fabularum e decem quae certum finem accipere potuerunt.

Iam igitur vidimus Aristophanem in septem² fabulis unitatem temporis observavisse, in quattuor nulla chori praesentiae ratione in hac re habita ultra diem actionem extendisse; porro quo facilius unitatem illam consequeretur vel omnino actionem continenter procedentem faceret eadem eum adhibuisse artificia quae Polczyk iam antea novae comoediae adiudicaverat. Deinde quamquam confitendum erat nonnumquam eum minus curiosum in re temporali fuisse et concedenda erat quaedam comica licentia tamen procedente argumento clarius fiebat maxima ex parte re vera eum rei temporalis haud fuisse negligentem: primum enim ut intervalla quae extra scaenam sumerentur incidere aliquo modo obtegerentur

¹ Cf. vs. 171.² Fortasse tantum sex; cf. pp. 49 seq.

parabases et alia eiusmodi cantica eum usurpavisse quae scaena histrionibus vacante de rebus a fabula alienis agentia animos spectantium a re dramatica temporalique elicerent, quater autem omnino ea carmina quae absentibus histrionibus tamen ad fabulam pertinerent, rarissime vero id genus quod histrionibus coram de re ipsa dramatica ageret, alias autem scaenam dum longiores externae actiones pergerent omnino vacuefecisse; deinde ut in minutis quibusdam rebus curiosiorem opinione eum fuisse ita operam dedisse ut et longiores in scaena actiones quas intra brevius tempus coartari oporteret artificiis levarentur et in iis fabulis quae a multa nocte initia caperent lentus temporis a tenebris in lucem processus signis claris ostenderetur; postremo curae ei saepius fuisse ut initia et exitus tempore certo constituerentur.

Intentus denique fabulas inspexi ut manifestum fieret meliusne tractavisset poeta tempus dramaticum postquam multo se in fabulis meditandis exercuisset quam cum rudis adhuc miles esset. Praterquam igitur quod rationes in intervallis cooperiendis locandisque quod sciam non mutavit haec licet animadvertere: primum nullam extra scaenam actionem in posterioribus fabulis tam male occultam quam Amphithei longam profectionem reliquit; dein nusquam tantum intervalli incidere sivit quam in *Acharnensibus* iudicavimus eum posuisse; huc accedit quod in prioribus solis fabulis ea genera canticorum ad intervalla cooperienda adhibuit quae pp. 59, 65 pessima esse ostendi. Nec fortasse praetermittendum est in *Vespis* et *Ecclesiazusis* melius eum quam in *Nubibus* lentum temporis progressum exhibuisse.

Quae omnia sive mera natura et indole seu de industria faciebat — quod potius ex argumentis allatis patere censeo — tamen dummodo cum eiusdem aetatis poetis componatur non ita male rem temporalem tractavisse videbitur.

THE ROMAN *MAGISTRI* IN THE CIVIL AND MILITARY SERVICE OF THE EMPIRE

By A. E. R. BOAK

THE following essay formed part of an investigation of the employment of the word *magister* or Master, to use the English equivalent, as an official title by the Romans, the object being to discover whether there existed any general principle or principles which, in specific cases, determined the use of this to the exclusion of other titles. As a basis for reaching a conclusion on this point an attempt has been made to show clearly,

- (1) what classes of officials enjoyed the title of Master,
- (2) how this title came to be employed in each instance, if that can be determined,
- (3) the character of the offices filled by and the sphere of competence of the several Masters, and
- (4) the period during which, in the respective cases, this title continued in use.

The scope of this study has been limited to an examination, according to the preceding scheme, of such Masters as were officials of the imperial government during the Principate and Later Roman Empire. To simplify the discussion these Masters have been divided into the two classes of (i) Civil and (ii) Military Officials, into which they naturally fall.

I. MASTERS WHO WERE IMPERIAL OFFICIALS IN THE CIVIL SERVICE OF THE ROMAN EMPIRE

The Masters who were imperial officers in the civil service of the Roman Empire may be classed as follows:

- (A) Masters engaged in the administration of the imperial finances.
- (B) Masters who were chiefs of the central secretarial bureaus.
- (C) The Master of the Offices and the Master of the Audiences.¹

¹ The Master of the Offices (*magister officiorum*) has been omitted from the following discussion, having been reserved to form the subject of a special study.

It is proposed first to consider separately the history and character of the several masterships falling within each of the above divisions, and then, from the results thus attained, to trace the general history of the use of the title Master in imperial official circles.

(A) *Masters engaged in the Administration of the Imperial Finances*

The Masters engaged in the administration of the imperial finances may be arranged in the following groups, of which the first includes such of these Masters as belong to the period of the Principate, while the other three embrace those who appeared during the transitional epoch of the third century or after the reorganization of the Roman governmental system effected by Diocletian and Constantine:

- (a) Masters and Deputy Masters who were imperial revenue officers,
 - (b) Masters who were officials of the *res privata*,
 - (c) Masters who were officials of the *fiscus*,
 - (d) Masters who were officers of the *domus divina*.
- (a) Masters and Deputy Masters who were Imperial Revenue Officers.

From the end of the first and from the second century come a few inscriptions recording once a Master and several times Deputy Masters, who were imperial officials employed in collecting the revenues of the state or of the imperial exchequer. The tributes and taxes under the Principate at first were raised, as under the Republic, by companies of tax-farmers who purchased this right from the state.¹ These companies were headed by a *manceps* or president but the management of their finances was in the hands of a Master, at Rome, and Deputy Masters, in the various districts where the taxes were collected.² When these societies were gradually supplanted by the imperial procurators, and the taxes raised directly by the government, it was but natural that, for a time at least, the titles of Master and Deputy Master should be employed for some of the new officials, especially as contractors for the taxes themselves were taken up at times into the imperial service.³

¹ Hirschfeld, *Kaiserliche Verwaltungsbeamten bis auf Diocletian*, pp. 77, 98, 99.

² Marquardt, *Staatsverwaltung*, 2, pp. 300 ff.; Cagnat, *publicani* in *Daremberg et Saglio, Dictionnaire des Antiquités grecques et romaines*, 4, 1, p. 752.

³ Hirschfeld, *KVB*. pp. 87, 88.

The epigraphical evidence for these Masters and Deputy Masters is very scanty, a fact which may be due to the comparatively unimportant positions which they held. Apparently such officials had disappeared long before the reorganization of the revenues carried out by Diocletian. However, while these offices existed they, belonging as they did to the series of procuratorial appointments, were held by members of the equestrian order.¹

Such Masters and Deputy Masters whose titles the inscriptions have preserved are the following:

Magister XX hereditatium — Master of the five per cent inheritance tax,

Promagister XX hereditatium — Deputy Master of the five per cent inheritance tax,

Promagister hereditatium — Deputy Master of the inheritances,

Promagister frumenti mancipalis — Deputy Master of the corn rent,

Promagister portuum — Deputy Master of the port dues.

Each of the above mentioned Masters or Deputy Masters will now be considered more closely.

1. *Magister XX Hereditatium* — Master of the five per cent Inheritance Tax.

An inscription from Lyon, which records the official career of Temistheus, father-in-law of the Emperor Gordian III, attributes to him the title of *procurator in urbe magister XX*, regularly completed by *hereditatium*.²

Cagnat³ explains that there were at Rome two bureaus, one for the raising of this tax in the city and presided over by a *procurator XX Romae*, the other for the general control of the revenues derived from this tax elsewhere. The Master, he thinks, was in charge of the latter bureau. Further, he considers that the control of these two offices was sometimes in the hands of the same person, who would then be known as *procurator in urbe, magister XX*. He also holds that both bureaus were subject to a general superintendent — the *procurator XX hereditatium*.

¹ Cf. the inscriptions quoted below.

² Wilmanns, *Exempla Inscriptionum Latinarum*, 1293, cf. Cagnat, *Étude historique sur les impôts indirects sous les Romains*, p. 195; Hirschfeld, *KVB*. p. 103, n. 3.

³ *L. c.*

This view, however, does not seem reasonable nor is it borne out by evidence. On the contrary, the opinion of Hirschfeld,¹ who accepts the two bureaux at Rome but places the second under the *procurator XX hereditatium*, appears to be the only possible interpretation. Therefore the Master of the five per cent inheritance tax, with the title of *procurator in urbe, magister XX*, was the head of the local office for Rome.

2. *Promagister XX Hereditatium* — Deputy Master of the five per cent Inheritance Tax.

With the foregoing Master are to be associated the Deputy Masters engaged in the collection of the same tax. Of these latter we have the following examples:

(1) C. Julius Flavianus who was Deputy Master after his tribunate in the seventh legion and before his procuratorship of the Maritime Alps.²

(2) Postumus who advanced from procurator of the libraries to procurator and Deputy Master of the inheritance tax and thence to procurator of the grain import at Ostia.³

(3) Q. Plotius Maximus, likewise procurator and Deputy Master, who, before filling that post was tribune of the sixth legion and, afterwards, became prefect of the post.⁴

(4) C. Lepidius Secundus who, like Flavianus and Maximus, was made Deputy Master after having served as a military tribune.⁵

These Deputy Masters, some of whom also bore the title procurator, can have been nothing else but subordinate officers of the central bureau for the control of the receipts from the inheritance tax. If they had been officials of the different stations for the collection of this tax in the provinces, their special districts would have been designated.⁶ With the combination of the titles procurator and Master

¹ KVB. pp. 104-105 with notes.

² *Corpus Inscriptionum Latinarum*, 6, 1620 Rome; 13, 1812 Lugdunum.

³ *Id.* 8, 20684, *proc(uratori) Aug(usti) a bybliothecis, proc(uratori) vicesima[e promag]istro, proc(uratori) Aug(usti) [ad ann]ona(m) Osti(en)s(em)*. For the reading *promag.*, not *et mag.*, (*Corpus*) cf. Hirschfeld, KVB. p. 103, n. 3.

⁴ *Id.* 9, 3835, 3836 Auxium, *trib(unus) leg(ionis) VI victric(is), pro(curator) Aug(usti) promagist(er) XX hereditatium, praefectus vehiculorum*.

⁵ *Id.* 11, 1326 Luna.

⁶ Cf. the examples quoted by Hirschfeld, KVB. p. 101, n. 2 ff.

one may compare the union of procurator and *conductor* in the form *procurator Augusti conductor vectigalis eiusdem*.¹

The rank of the Deputy Masters may be seen from the inscriptions quoted, their office being one of the first steps in the procuratorial career.

3. *Promagister Hereditatium* — Deputy Master of the Inheritances.

An inscription from Lugdunum,² dating from the close of the second century, is dedicated to a Lucius Marius who began his official career with the position of *promagister hereditatium*. Later he was advanced to the post of *procurator stationis hereditatium*. In neither of these titles does the word *hereditatium* refer to the inheritance tax, as immediately before his appointment to the latter office Marius had been *procurator XX hereditatium*. It seems clear then that both Deputy Master and procurator "*hereditatium*" are to be considered as the titles of officials engaged in the administration of the *hereditates*, or inheritances which the emperor received by bequest. These inheritances were administered, probably from the time of Hadrian, in conjunction with the *bona vacantia* and *caduca*, by imperial officers.³

From this single inscription it is hard to determine the relation of the Deputy Master to the procurator. Hirschfeld⁴ suggests that the former is to be considered as a higher assistant of the latter, and this seems a likely conjecture.

As these inheritances had never been collected, like the taxes, by companies of tax-farmers, the appearance here of the title of Deputy Master can only be explained by the supposition that this bureau was organized on the model of that of the inheritance tax, where there were officers who had such a title.

4. *Promagister Frumenti Mancipalis*, *Promagister Portuum* — Deputy Master of the Corn Rent, Deputy Master of the Port Dues.

A series of inscriptions from Ephesus, belonging to the opening years of the second century, record dedications of a certain C. Vibius

¹ CIL. 3, 10,605, Rostowsew, *Arch., Epig. Mitt.* XIX, p. 136.

² CIL. 13, 1810, L. Mario L. f. Quir(ina) Perpetuo, *pontifici, procuratori provinciarum Lugdunensis et Aquitaniae, procuratori stationis hereditatium, procuratori patrimonii, procuratori monetæ, promagistro hereditatium*. . . .

³ Hirschfeld, KVB. pp. 110-117.

⁴ *Id.* p. 117, n. 2.

Salutaris, who was Deputy Master for the port dues of the province of Sicily and likewise Deputy Master of the corn rent.¹ He was then appointed prefect of a cohort of auxiliary troops.

The phrase *portuum provinciae Siciliae* of the inscription evidently refers to the port dues (*portoria*) of that province,² and it is clear that this Deputy Master was an imperial official. Hirschfeld, following Rostowsew,³ considers his position analogous to that of the contractors (*conductores*) who, in the second century, took the place of the publicans in collecting the revenues on the frontiers. That is to say, he was dependant upon the governmental administration and undertook the task of exacting the revenue in return for a definite sum. This is in accord with the general tendency of the period to supplant the societies of the tax-farmers by government officers.⁴

This same Vibius was, as we see from the inscription quoted, *promagister frumenti mancipalis*. This *frumentum mancipale* was the rental, usually paid in kind, from the public land which in Sicily even under the Empire was of large extent, and whose revenues fell into the imperial treasury (*fiscus*).⁵

Under the Republic these revenues were collected by the usual societies of contractors.⁶ Here, however, a government official, perhaps first appointed by Domitian, appears in charge of this work.⁷ As there is no trace of a special bureau with subordinate officials to manage the details of the collection of this rent, it is possible that the Deputy Master acted through the agency of the former companies of tax-farmers.⁸

¹ *CIL.* 3, 14, 195, 4-13, *promag(ister) portuum provinciae Siciliae, item promag(ister) frumenti mancipalis, praef(ectus) coh(ortis) Asturum et Gallaecorum, trib(unus) mil(itum) leg(ionis) XXII primigeniae p(ia) f(idelis)*, etc. The inscriptions are bilingual, the Greek for *promagister portuum* being ἀρχὼνς λιμένων ἐπαρχείας Σικελίας. Cf. the ἀρχὼνς μ. (= XXXX) λι(μ)ένων Ἀσίας καὶ ἐπὶ τριποῦ Σεβαστοῦ of *Archaeologische Epigraphische Mitteilungen*, XIX, p. 1, no. 36.

² Hirschfeld, *KVB.* p. 11.

³ *Staatspacht*, pp. 393 f.

⁴ Hirschfeld, *KVB.* p. 84.

⁵ *Op. cit.*, p. 140.

⁶ Cicero, in *Verrem*, *passim*.

⁷ The date of *CIL.* 3, 14, 195, 4 is 104 A.D. and Vibius held this post very early in his official career.

⁸ Hirschfeld, *l. c.*

In these two instances there seems to be no doubt that the title Deputy Master was directly adopted from the societies of the publicans into the list of governmental official designations. The ranking of these offices of Deputy Master below that of a prefect of an auxiliary cohort shows that they were inferior to the other positions conferring a similar title, which regularly ranked higher than the military tribunate.¹

(b) Masters who were Officials of the *Res Privata*.

From the time of Septimius Severus the term *res privata* was used to denote the personal property of the emperor in contrast to the *patrimonium*, or property adhering to the imperial title, and the domains of the state whose revenues flowed into the state treasury or *fiscus*.²

Among the officials engaged in the administration of the *res privata* the following Masters appear:

- (1) *Magister Privatae* — Master of the *Res Privata*,
- (2) *Magister Privatae Aegypti et Libyae* — Master of the *Res Privata* in Egypt and Libya,
- (3) *Magister Privatae Rei Africae* — Master of the *Res Privata* in Africa,
- (4) Masters of the *Res Privata* in other Provinces,
- (5) *Magister Aeris sive Privatae Rei* — Master of the *Res Privata* in Pontus and Asia.

These Masters will now be considered in the order given above.

1. *Magister Privatae* — Master of the *Res Privata*.

This Master, who might be called the Master of the Privy Purse, is known from four inscriptions of the end of the third and opening

¹ See above, sections 2 and 3. Perhaps another Master of this class is to be recognized in Cagnat, *Inscriptiones Graecae ad res Romanas pertinentes*, 3, 1229. Canathae, Κλαύδιος Ἡλίουδωρος Πλάκου, μαγίστρος πρετωρίου φ. φ. Φουλκης, ἐκτίσων, etc., as possibly πρετωρίω should have been written for πρετωρίου, cf. Waddington, *Voyage Archeologique*, no. 2350.

² For the *fiscus*, cf. Hirschfeld, *KVB*. p. 9; for the *patrimonium* and *res privata*, *id.* p. 25, "das Patrimonium ist von Severus bis auf Diocletian das Krongut, die *res privata* die Privatschatulle des Kaisers," cf. p. 43.

of the fourth century.¹ The only one of these that can be definitely dated, namely *CIL.* 3, 12,044, is an imperial edict of the year 314 A.D.

It is known that the *res privata* was at first administered by a procurator, who had the title of *procurator rationis privatae*.² However it seems that an inscription of the third century mentions a *magister summae rationis privatae*,³ who may be regarded as the successor of the *procurator*. If this assumption be correct, the Master here mentioned, at the beginning of the fourth century, received the simpler title of *magister privatae*.⁴

That this Master was the chief of the department of the *res privata*, and not a subordinate official thereof, is clear from imperial constitutions where his position is parallel to that of the *rationalis* or chief of the *fiscus*, and where only one *rationalis* and one Master are mentioned, while all the prefects and governors of provinces are referred to.⁵ The advancement of Attius Felicianus from Master of the *res privata* to Viceprefect of the Watch⁶ is in accord with the importance of this mastership.

In the constitution of 314, dealing with the restoration of estates, which had been expropriated by the *fiscus*, to their original possessors, the bureau (*officium*) of the Master of the *res privata* is mentioned.⁷ Here we see that the Master, like the *rationalis*, had at his command procurators, probably for the separate provinces, who served in this bureau. Also we have proof that the bureau of this Master court

¹ *CIL.* 3, 12,043, s[uper] i[st]aque omnibus tam ad praefectos nostros quam [etiam et] praesides et rationalem et magistrum priva[ae script]a direximus; 12,044—13,059, 11, 26 ff., 42 ff.; 5, 2781, (ad) rati[on]ales et ad] magistrum privatae; 8, 822 C. Attio Feliciano . . . vicepraef(ecto) vigilum, mag(istro) summae privatae, magistro [summa]-rum rationum, etc.

² Hirschfeld, *KVB.* pp. 25, 43.

³ *CIL.* 6, 1630, magister summae rat(ionis) privatae. For the reading cf. Hirschfeld, *op. cit.*, l. c.

⁴ *CIL.* 3, 12,043, 12,044; magister summae privatae in 8, 822.

⁵ For *CIL.* 3, 12,043 see above; 3, 12,044, 42 ff., quid super omnibus tam praefectis nostris quam etiam praesidibus provinciarum, rationali quoque, et priva(ae) magistro scripsimus; cf. 5, 2781.

⁶ *CIL.* 8, 822, quoted above.

⁷ *CIL.* 3, 12,044, 26 ff., [in] officio rationalis et privatae magistri vel etiam procuratorum [u]triusque of[f]icii super possessionibus sive mancipiis lis inchoata, etc.

served as a court of justice in specific instances, in this case for claims regarding the ownership of estates in possession of the crown.

Under Constantine I, at some time between 314 and 323,¹ the Master of the *res privata* was given the title of *rationalis*, a change which indicates that the administration of the *res privata* was accorded a position in the state equal to that of the *fiscus*.²

At the same time it seems that the title of *magister privatae* was assumed by the procurators in charge of the administration of the *res privata* in the different provinces. Thus it comes that we know of Masters of the *res privata* in Africa and in Egypt, and have references to such Masters in the provinces in general.

2. *Magister Privatae Aegypti et Libyae* — Master of the *Res Privata* in Egypt and Libya.

The title *magister privatae Aegypti et Libyae* appears in an inscription from Alexandria of the reign of Constantine I,³ and this Master is also mentioned in a papyrus fragment of the early fourth century⁴ as well as in Athanasius' Apology to Constantius.⁵ The Master of the *res privata* in Egypt was, therefore, an official of the first half of the fourth century.

Now, since in Egypt the *res privata* developed from the Ptolemaic institution known as the *ιδιος λόγος*,⁶ the Master, in all probability, was the successor of the Idiologos, or *ἐπίτροπος ιδίου λόγου*,⁷ an intermediate form in the development of this title being, as Wilcken⁸

¹ CIL. 6, 1133, 1704; *Notizi degli Scavi* 1899, p. 491; Hirschfeld, KVB. p. 37, n. 1. After 342 the *rationalis* had the title of *comes privatarum*, Mommsen ad CIL. 3, 12,044, *Notitia Dignitatum* s. v.

² *His, die Domänen der römischen Kaiserzeit*, p. 49; Hirschfeld, KVB. pp. 43-44.

³ CIL. 3, 18, *Val(erius) Epifanius v(ir) p(erfectissimus), mag(ister) privatae Aeg(ypti) et Lib(yae)*.

⁴ *Berliner Griechische Urkunden* 927—Mitteis und Wilcken, *Grundzüge und Chrestomathie der Papyruskunde*, 1, 2, 176 (reading with the latter) [κατα]κέλευσεν τοῦ διασημοτάτου, μεγίστου [τῆς] πριουάτης.

⁵ Ch. 10, *Πορφύρας καὶ Στέφανος ὧν ὁ μὲν καθολικὸς ὁ δὲ μάγιστρος* — ἦν ἐκεῖ, i. e., at Alexandria.

⁶ Hirschfeld, KVB. pp. 208, 343 ff.; Mitteis u. Wilcken, 1, 1, pp. 146 ff., 154 f.

⁷ Hirschfeld, KVB. p. 358.

⁸ Mitteis u. Wilcken, 1, 1, p. 163; cf. Wessely, *Wiener Studien*, 1902, p. 145.

suggests, ἐπιτροπος τῆς πριουάτης, which appears in a papyrus from the beginning of the fourth century.

The Master of the *res privata* in Egypt, like the *rationalis* who was in charge of the *fiscus* in that province,¹ had the rank of *perfectissimus*,² in Greek διασημύτατος.³ However, the *rationalis* took precedence over the Master,⁴ as the *rationalis* in charge of the *fiscus* at Rome ranked above the Master who superintended the central administration of the *res privata*.

From the title borne by Valerius Epifanius⁵ we see that the administration of the *res privata* in Libya was, for a time at least, in the hands of the official who directed the *res privata* in Egypt. The *rationalis*, however, was, as his title shows,⁶ appointed for Egypt only.

This Master of the *res privata* in Egypt is not mentioned in the *Notitia Dignitatum*, and it is probable that at the time of its compilation⁷ his position was filled by one of the *rationales rerum privatarum*, who were the subordinates of the *comes privatarum*.⁸

3. *Magister Privatae Rei Africae* — Master of the *Res Privata* in Africa.

The Master of the *res privata* in Africa is referred to in a constitution of 319 A.D. addressed to the *rationalis Africae*,⁹ while another of the following year was directed to Dometius Dracontius, *magister privatae rei Africae*.¹⁰ Two other constitutions were addressed to the same Dracontius without the addition of his official title but while he still held this office, as their contents show.¹¹

These imperial edicts concern the administration of the *res privata* in Africa. One deals with the joint proportional contribution of the rental (*inlatio*), when an imperial estate (*fundus*) was occupied by

¹ *CIL.* 3, 17, 4892.

² Mitteis u. Wilcken, I, 2, 178.

³ *CIL.* 3, 18.

⁴ Athanasius, *l. c.*

⁵ *CIL.* 3, 18, *mag(ister) privatae Aeg(ypti) et Lib(yae)*.

⁶ *CIL.* 3, 17, *rat(ionalis) Aeg(ypti)*.

⁷ The final recension of the *Notitia Dignitatum* had taken place by 425, Mommsen, *Hermes*, XXXVI, p. 547.

⁸ *Not. Dig. or.* p. 37 (ed. Seeck); Mommsen ad *CIL.* 3, 18; De Ruggiero, *Dizionario Epigrafico di Antichità Romana*, I, p. 288.

⁹ *Codex Theodosianus*, 10, 1, 2.

¹⁰ *Id.* 10, 1, 4, ad *Dometium Dracontium mag(istrum) privatae rei Afric(ae)*.

¹¹ *Id.* 11, 19, 1, 321 A.D.; *Codex Justinianus*, 11, 62, 2. under Constantine I.

several tenants.¹ Another discusses cases where the payments in money or in kind from estates occupied by minors, through the negligence of tutors or curators, had not been made by the appointed date.² The two remaining constitutions, which concern estates exempt from the authority of the *fiscus*, provide a penalty for the *rationalis*, the Master of the *res privata*, and their subordinates, in case they should have encroached upon such holdings.³

This Master of the *res privata* in Africa, like the official of similar name in Egypt, appeared, as has been seen, in the reign of Constantine I, and also had disappeared by the time of the compilation of the *Notitia Dignitatum*. But here the Master does not seem to have had a direct predecessor, like the Idiologos in Egypt, for the procurators of the several *tractus* or *regiones* were the sole representatives of the *res privata* or the *patrimonium* in Africa.⁴ Therefore it would seem that this office was created by Constantine on the model of that previously existing in Egypt.

4. Masters of the *Res Privata* in other Provinces.

It seems that, at the time when Masters of the *res privata* were appointed for Egypt and Africa, similar officials were created for many, if not for all, of the remaining provinces, although definite mention of any one of them is wanting. The evidence, however, for their presence is the following.

Firstly, a constitution of 326 A.D. regulates the relations of the sons of *comites*, *praesides*, *rationales* and *magistri privatae* to the provincial *curiales*.⁵ This implies a number of Masters, apparently distributed throughout the provinces.

Secondly, the appearance of Masters of the *res privata* at the same time in Egypt and Africa indicates a general administrative reform, for, if the imperial domain lands in Egypt occupied a peculiar position, in Africa apparently they did not.

Finally, in the *Notitia Dignitatum*, we find in the East, under the orders of the *comes rei privatae*, officials called *rationales rerum privatarum*; ⁶ and in the West, subject to the corresponding *comes*, similar officers for Illyricum, Italy, the city Rome and the urban regions with

¹ C. Th. 11, 19, 1.

² C. J. 11, 62, 2.

³ C. Th. 10, 1, 2 and 4.

⁴ Hirschfeld, *KVB*. p. 43, n. 1.

⁵ C. Th. 12, 1, 14.

⁶ N. D. or. p. 37.

part of Faustina, Sicily, Africa, Spain, Gaul, the Five Provinces and Britain.¹ As the *rationales* succeeded the Masters in the control of the *res privata* in Egypt and in Africa, one is led to think that in the other provinces or dioceses for which the *Notitia* mentions *rationales* there had previously been Masters of the *res privata*.²

From these considerations the conclusion may be drawn that, at the time when the Master of the central bureau of the *res privata* was made a *rationalis*,³ Constantine appointed for each province separately, or for groups of several provinces, Masters to supervise the administration of the *res privata* in these several districts, taking for his model Egypt, where such an official, although under a different name, already existed.

It is not certain when the Masters became *rationales*. However, these latter were in charge of the *res privata* in the provinces in 366 A.D.,⁴ and the probability is that when the chief of this department was raised from the rank of *rationalis* to that of *comes*,⁵ the heads of the provincial bureaux received the title of *rationalis*.

It has been seen that the Master of the *res privata* in Egypt and Libya enjoyed the rank of *perfectissimus*. One may conclude that the other Masters had the same standing.

5. *Magister Aeris sive Privatae Rei* — Master of the *Res Privata* in Pontus and Asia.

This title *magister aeris sive privatae rei* occurs in a constitution of Theodosius II which deals with the allowances of provision and fodder due to all judges, whether *spectabiles* or *clarissimi*, who carried on civil or military administration throughout the provinces, and also to the *comes commerciorum*, the *magister aeris sive privatae rei*, and the *rationalis* for the diocese of Pontus and Asia, as well as to certain other officials.⁶

¹ *N. D. occ.* p. 155.

² Cf. His, *Domänen*, p. 55.

³ I. e., between 314 and 323 A.D., see above. It is possible that Lactantius, *de moribus persecutorum*, ch. 11, in saying that Diocletian created "*rationales multi et magistri, etiam vicarii praefectorum*," refers to these masters, but there is no other evidence for their presence at so early a date.

⁴ *C. Th.* 5, 15, 20; cf. 10, 4, 3, 370 A.D.

⁵ I. e., by 342, *C. Th.* 10, 10, 6.

⁶ *C. J.* 1, 52, 1, 439 A.D., *omnibus tam viris spectabilibus quam viris clarissimis iudicibus, qui per provincias sive militarem sive civilem administrationem gerunt, nec*

Gothofredus read this text with no punctuation between *rei* and *rationali*,¹ so that the title was, in his opinion, *magister aeris* or *privatae rei rationalis*. Further, he considered that this Master was the same as a *rationalis summarum*, which would be highly improbable if he were also a *rei privatae rationalis*, for the *rationales rei privatae* were the subordinates of the *comes privatarum* and were quite distinct from the *rationales summarum* who stood under the *comes sacrarum largitionum*.²

Since, in the constitution quoted, only one *comes commerciorum*, one Master, and one *rationalis*, are mentioned, it seems that the phrase *per Ponticam et Asianam diocesan* qualifies each of these titles. The Master, therefore, may be regarded as officiating for the whole diocese. For the presence of an official with a similar title in other departments there is no evidence.

From the alternative title of this Master we see that he was an officer of the *res privata*. Now, according to the *Notitia Dignitatum*, which was compiled shortly before the publication of this constitution of Theodosius II, the only officials who, at this period, were concerned with the administration of the *res privata* and who occupied a position of somewhat similar rank to the *comes commerciorum* were the *rationales rerum privatarum*.³ Hence it seems highly probable that the Master in question was one of these *rationales*. It has been pointed out already that the Masters of the *res privata* throughout the provinces were superseded, in the course of the fourth century, by *rationales*, but it may be that in this case the title of *magister privatae rei*, for some unknown reason, had been preserved. For the other form of the title, *magister aeris*, I can see no explanation.

If the reading adopted by Krüger, which has been followed here, is correct, the *rationalis* referred to in the text would be one of the *rationales summarum*.⁴

(c) Masters who were Officials of the *Fiscus*.

The *fiscus*, or treasury into which flowed the revenues falling to the emperor in his official capacity as head of the state,⁵ employed, among other officers, some who had the title of Master.

non comiti commerciorum, magistro aeris sive privatae rei, rationali per Ponticam atque Asianam diocesan, etc.

¹ Commentary to C. Th. 10, 1, 2.

² N. D. or. pp. 36-37.

³ N. D., l. c.

⁴ Cf. N. D. or. p. 36.

⁵ Hirschfeld, KVB. p. 9.

One of these, the *Magister Summarum Rationum* — Master of the Highest Accounts — was abolished in the reign of Constantine I. The others, who were called *Magistri Lineae Vestis* — Masters of the Linen Vestments — and *Magistri Privatae (Vestis)* — Masters of the Private Vestments, — appear in the fifth century when the term *summae rationes* had been superseded by that of *sacrae largitiones* — sacred largesses — as a designation for the administration of the state treasury.

1. *Magister Summarum Rationum* — Master of the Highest Accounts.

The title of this Master apparently developed from that of the *procurator summarum rationum*, who was a subordinate of the *procurator a rationibus*, later known as *rationalis*, the chief of the administration of the *fiscus*.¹

It is impossible to determine precisely when the Master of the Highest Accounts was first appointed. The inscription of Attius Felicianus,² who held this office, dates from the end of the third century,³ and the fragmentary record of another of these Masters, M. Julius Serenius, is to be placed at about the same time.⁴ A reference in Eusebius⁵ shows that the office existed under Diocletian.

In the reign of Constantine I the title of Master of the Highest Accounts seems to have been altered to that of *vicarius summae rei rationum*,⁶ and later, probably when the *rationalis* became the Count of the Sacred Largesses, this office vanishes completely.⁷

There is scarcely anything known regarding the activities of this Master. However, from the reference of Eusebius to the career of

¹ Hirschfeld, *KVB.* pp. 31-39; Friedländer, *Sittengeschichte Roms*, 1, p. 172; Rostowsew in *De Ruggiero*, 3, p. 135.

² *CIL.* 8, 822; *Bulletin de Comité des travaux historiques*, 1893, p. 214, C. Attio Alcimo Feliciano, *p(er)fectissimo v(iro), vicepraef(ecto) praet(orio), praef(ecto) annonae, vicepraef(ecto) vigulum, mag(istro) summae privatae, mag(istro) (summa)rum rationum, curator operis (thea)tri, proc(uratori) hereditatium*, etc., cf. Hirschfeld, *KVB.* p. 487.

³ Rostowsew in *De Ruggiero*, 3, p. 135; v. Rhoden in *Pauly-Wissowa, Realencyclopädie der klassischen Altertumswissenschaft*, 2, p. 2252.

⁴ *CIL.* 6, 1618.

⁵ *Historia Ecclesiastica*, 8, 11, 2.

⁶ *CIL.* 6, 1704; Hirschfeld, *KVB.* p. 39, n. 1.

⁷ Mommsen, *Nuove Memorie del' Istituto*, 1865, p. 324.

Aduactus,¹ it seems to follow clearly that he was an official of the *fiscus* and a subordinate of the *rationalis*, for this Aduactus, who was in the service of the *fiscus*, was first Master and afterwards *rationalis*.²

As can be seen from the career of Felicianus, the Master of the *summae rationes* ranked below the Master of the *res privata*, but above the procurators.³ From the same inscription it seems likely that this Mastership did not bring with it the rank of *perfectissimus*, which the *rationalis* held, although it probably carried a salary of 300,000 sesterces.⁴

2. *Magistri Lineae Vestis* and *Magistri Privatae* — Masters of the Linen and Private Vestments.

These *magistri lineae vestis* and *privatae* are mentioned in the *Notitia Dignitatum* among the officials under the orders of the Count of the Sacred Largesses in the Eastern Empire.⁵ The same titles are not found among the corresponding officers in the West, but their place is taken by the Count of the Robes (*comes vestiarii*).⁶ The same Masters are referred to together in a constitution of 426 A.D. addressed to the Count of the Sacred Largesses,⁷ which is the only other record of them that we have.

However, in spite of this meagre evidence, the general character of the offices of these Masters is quite clear. The title *magister lineae vestis* — Master of the Linen Vestments — is self-explanatory; the vestments here included not only wearing apparel but also such articles as linen cloths, napkins, towels, and even tents.⁸ In regard to the *magistri privatae*, it is probable that the full form of their title was *magistri privatae vestis* — Masters of the Private Vestments.⁹ At all

¹ Eusebius, *l.c.* διὰ πασῶν διελθὼν ἔφηρ τῆς παρὰ βασιλεῦσι τιμῆς, ὡς καὶ τὰς καθόλου διοικήσεις τῆς παρ' αὐτοῖς καλουμένης μαγιστροτήτος τε καὶ καθολικότητας.

² I have here accepted the interpretation of Hirschfeld, *KVB.* p. 39. Mommsen, however, explains μαγιστροτήτος as *magister summae privatae*, *Nuov. Mem.*, 1865, p. 320.

³ *CIL.* 8, 822, see above. Similarly the *vicarius*, the successor of the Master, ranked below the *rationalis* who superseded the Master of the *res privata*, *CIL.* 6, 1704.

⁴ Hirschfeld, *KVB.* p. 435. ⁵ *N. D. occ.* p. 148.

⁶ *N. D. or.* p. 36. ⁷ *C. J.* 11, 7, 14.

⁸ *Lintea*, μαφῆαε, mantilia, papiliones; Pancirolus, *Commentarium in Notitiam*, ad loc.

⁹ Cf. the reading of *C. J.* 11, 7, 14, *privatae vel lintae* (= *lineae vestis magistri*).

events, although the title *magistri privatae* is the same as that borne by officials of the *res privata* at an earlier period, the separation of these Masters from the bureau of the *comes rerum privatarum* and their position as subordinates in the department which administered the *fiscus* makes any connection between them and the earlier Masters of the *res privata* impossible.¹

Clearer proof of the character of these Masters' activities is found in the constitution of Theodosius II cited already. This edict provided that the Masters of the Privata and Linen Vestments, as well as the overseers of the dye-works and cloth-factories, and other officials who held similar positions, should not be permitted to superintend any work in which the imperial treasury was concerned before they had deposited a certain caution.² Here we see that these Masters are placed among the overseers of the imperial factories. Now one of the most important industries thus conducted by the state was the manufacture of linen goods, which was carried on by the guild of the *lintharii*.³ The duty of the Master of the Linen Vestments was, then, the superintendence of this linen manufacture, at least in so far as the production was destined for the use of the imperial household. The close connection between the activities of this Master and those of the Master of the Private Vestments, evidenced by their position in the *Notitia Dignitatum* as well as by the Theodosian constitution, leads to the conclusion that the sphere of the latter was the charge of the articles other than linen reserved for the imperial wardrobe.⁴ This is in accord with the testimony of Cassiodorus⁵ that at one time the care of the royal wardrobe was intrusted to the Count of the Sacred Largesses, to whom the Masters in question were subordinated.

¹ This distinction has been pointed out already by Pancirolus, *Commentarium ad loc.*, and by Gothofredus on *C. Th.* 10, 1, 2; cf. Böcking's edition of the *Notitia Dignitatum*, 1, 2, p. 53, n. 13.

² *C. J.* 11, 7, 14, *privatae vel linteae vestis magistri, thesaurum praepositi, vel baphiorum ac textrinatorum procuratores, ceterique, quibus huiusmodi sollicitudo committitur, non ante ad rem sacri aerarii procurandam permittantur accidere quam satisfactionibus dignis eorum administratio roboretur.*

³ *C. Th.* 10, 20, 16; Gothofredus on *C. Th.* 10, 20.

⁴ Cf. Pancirolus, in *Notitiam Dignitatum, ad comitem sacrarum largitionum.*

⁵ *Variae*, 6, 7, *Vestis quoque sacra tibi antiquitus noscitur fuisse commissa ut quicquid ad splendorem regum pertinet tuis non minus ordinationibus oboediret.*

The reason why these Masters were under the orders of the Count of the Sacred Largesses is that their functions affected the interests of the imperial treasury over which he presided.¹

Pancirolos in his commentary to the *Notitia Dignitatum* considers these Masters to be the same as the *procuratores rei privatae* of an edict of Constantine I.² Inasmuch as these procurators had also to do with the imperial factories, it is quite possible that they later became the Masters here under discussion, a similar development in the official title having occurred in the cases of the Masters of the Highest Accounts and the *res privata*. Also the rank of the Masters of the Linen and the Private Vestments was not much superior to that of the procurators, as may be seen from the *Notitia* and the constitution of 426 A.D.

In both of these documents the Masters are mentioned in the plural, but nothing is said regarding their number or location. In contrast we find only one such official in the Western Empire, namely the *comes vestiarii*.

(d) Masters who were Officers of the *Domus Divina*.

The *domus divina* consisted of a special class of imperial domains, which, in the latter half of the fourth century, were separated from the *res privata* and placed under an independent administration.³ An important part of the *domus divina* was formed by the imperial domains in Cappadocia. These were at first administered by a Count of the Domains (*comes domorum*), who was a subordinate of the Royal Chamberlain (*praepositus sacri cubiculi*).⁴ Later, in the reign of Justinian, this Count of the Domains was superseded by the Proconsul of Cappadocia, who also, as far as these domains were concerned, was responsible to the Chamberlain.⁵

The Count of the Domains had been assisted in his administration by an *officium*, of which the members were styled *comitiani*.⁶ This bureau in 536 A.D. came under the authority of the Proconsul of Cap-

¹ Cf. C. J. II, 7, 14, quoted above.

² C. Th. I, 32, 1 = C. J. II, 17, 2. Pancirolos, *l. c.*

³ His, *die Domänen der römischen Kaiserzeit*, pp. 75, 76.

⁴ *Id.*

⁵ J. Nov. 30, 536 A.D., His. p. 78.

⁶ J. Nov. 30, 2; His, p. 77.

padocia.¹ At that time it was presided over by thirteen *priores* (πρωτεύοντες) who were called *magistri primi et secundi* (μαγιστροί πρώτοι καὶ δεύτεροι).² These were probably the heads of a corresponding number of departments in the bureau, each of which directed the management of one of the thirteen large estates (*domus, olkiai*) that formed the *domus divina* in Cappadocia.³ It is not clear why these Masters were called "first" and "second," but perhaps these two classes indicated grades of seniority among the Masters corresponding to the importance of the estates for which they were responsible or the length of their service in the bureau.

Justinian's reorganization was intended to check administrative abuses which had developed under the older régime. Accordingly, to secure a more effective collection of the rentals due from the imperial domains, thirteen *exactores* were appointed, one for each of the estates, and they alone had authority to raise this revenue.⁴ These *exactores* were appointed by the Masters,⁵ who, together with the whole bureau, were responsible for their conduct.⁶ If, however, any of these *exactores* was unable to perform his duties, the Masters were to nominate an assistant (*adiutor*) to aid him and for this officer also they had to go surety with their persons and property.⁷

Evidently there had been a good deal of extortion practised by the superior officials of this bureau to the disadvantage of their inferiors because this form of "graft" was checked by the following provisions. Neither the thirteen Masters nor the exactors nor any other subordinate in the bureau were to make any contribution to the proconsul in office on account of their appointment or for any other cause.⁸ How-

¹ *J. Nov.* 30, 2; *His*, p. 77.

² *Id.*

³ *J. Nov.* 30, 2. *Domus* or *olkia* has here the same significance as *saltus* or *massa*, *His*, p. 68.

⁴ *J. Nov.* 30, 2, *nominari autem volumus per (domum) unamquamque periculo totius comitiani officii et tredecim priorum, quos scilicet magistros primos et secundos vocant, alios post illos continuo respondentes tredecim, unum sicut dictum est, per domum unamquamque.* For the title *exactores* cf. *id.* 4.

⁵ At least the Masters were entitled to receive a contribution from them on account of their nomination, *J. Nov.* 30, 2, see below.

⁶ *J. Nov.* 30, 2.

⁷ *Id.* 4, *sancimus autem tredecim priores magistros nec non et sequentes alium quempiam adiutorem ei denominare periculo proprio <et> existantium eis rerum.*

⁸ *J. Nov.* 30, 2, *nihil autem præbere penitus neque eos, qui dudum priores vocabantur*

ever, each of the *exactores* had to pay the sum of fifty *solidi* to the thirteen Masters.¹ But they were henceforth to be free from the oppressive payments previously extorted from them by the Masters and the Count of the Domains.²

This is all the information that we have in regard to these Masters and as no other mention of them occurs it is impossible to say whether such officials were found in the service of the *domus divina* elsewhere than in Cappadocia.

(B) *Masters, who were Chiefs of the Central Secretarial Bureaus*

Under the Principate there gradually developed, as the result of the concentration of the government in the hands of a single individual, a number of secretarial departments, through which the central executive dispatched the correspondence and kept the records necessary for the administration of the empire. These departments were carried over, with minor changes, into the Later Empire. The officials at the head of several of these bureaus attained, in the course of the third century, the title of Master which they from this time on retained.

The list of these Masters, who took their more specific titles from the bureaus over which they presided, is as follows.

1. *Magistri Scriniarum* — Masters of the *Scrinia*.

(a) *Magister Memoriae* — Master of the Memory,

(b) *Magistri Epistularum Latinarum et Graecarum* — Masters of the Latin and Greek Correspondence,

(c) *Magister Libellorum* — Master of the Petitions,

(d) *Magister Sacrarum Cognitionum* — Master of the Sacred Inquests,

(e) *Magister Dispositionum* — Master of the Imperial Schedules.

2. *Magister Censuum* — Master of the Census.

et secundi magistri, neque quos post eos tredecim sancivimus exactionem fiscalium celebrare neque alium comitiani officii [quo] per tempus spectabili proconsuli occasione denominationis aut alterius cuiuslibet causae, tantum quinquagenis solidis ab unoquoque tredecim exactorum prioribus tredecim magistris praebendis.

¹ *Id.*

² *Et magnam nobis fiscalium exactores debent gratiam profiteri liberantibus eos plurimis illis damnis, quae prius magistris praebebant et per tempus spectabili comiti et eius officio, id. 4.*

3. *Magister Studiorum* — Master of the Records.

These Masters will now be considered in the order given above.

1. *Magistri Scriniarum* — Masters of the *Scrinia*.(a) *Magister Memoriae* — Master of the Memory.

The Master of the Memory, who had the seniority in rank among the Masters of the *Scrinia*, was the head of the *scrinium memoriae*.¹ His title developed from that of the official called a *memoria* under the Principate.² The form *magister memoriae* is found in Pollio's life of Claudius Gothicus (268–270 A.D.),³ and Vopiscus, in his life of Carus,⁴ mentions a Julius Calpurnicus, *qui ad memoriam dictabat*, who was probably at the head of the same bureau. But perhaps the first certain appearance of the title in its final form is in the orations of Eumenes,⁵ who himself, about 305 A.D., held the office of Master of the Memory.

Ammianus Marcellinus mentions four of these Masters, namely, Aedesio, ex-Master in 355,⁶ Rusticus Julianus, who before his mastership had been proconsul of Africa and afterwards became urban prefect,⁷ Eupraxius, who from this post was promoted to the quaestorship,⁸ and Festinus Tridentius, who was an ex-Master in 371 A.D.⁹ Eutropius¹⁰ the compiler of the *Brevia* was also a Master of the Memory. Likewise three inscriptions of the fourth century record holders of this office. One of these was Saturninus Secundius, who was governor of Aquitania, Master of the Memory, Count of the first order and proconsul of Africa.¹¹ Another was Sextilius Aedesius, whose career included the offices of Master of the Petitions, Master of the Corre-

¹ *N. D. or.* p. 44, *occ.* p. 161.

² Hirschfeld, *KVB.* p. 335; not from the *a studiis*, as Mommsen, *Nuov. Mem. dell' Inst.*, 1865, pp. 328 ff., cf. Friedländer, *Sittengeschichte*, I, 110, n. 3.

³ *Vita Claudii*, ch. 7.

⁴ *Vita Cari*, ch. 8, for 283 A.D.

⁵ 4, 6; 4, 11; 4, 14; 4, 15; 5, 1; 5, 2; 7, 1.

⁶ *Ex magistro memoriae*, *Hist.*, 15, 5, 3.

⁷ 27, 6, 2, 367 A.D.

⁸ 27, 6, 14, A.D. 367, cf. 28, 1, 25.

⁹ 29, 2, 21, *magisterioque peracto*.

¹⁰ *Fl.* 376 A.D. For his position cf. the dedication of the *Brevia*.

¹¹ *CIL.* 6, 1764, *Saturnino Secundio v(iro) c(larissimo), praesidi provinciae Aquitaniae, magistro memoriae, comiti primi ordinis, proconsuli Africae*, etc. His mastership dates before 361 A.D.

spondence, Master of the Memory and vicar of the prefects for the Spanish provinces.¹ This person was probably identical with the Aedesius of Ammianus, who was ex-Master in 355 A.D.² The third of these inscriptions is only a fragment where the title of ex-Master appears.³ Further, an inscription of the fifth century mentions a Claudius Lepida, ex-consular of Germania Prima, ex-Master of the Memory and ex-Count of the *res privata*.⁴ Finally, in one of the constitutions of Theodosius II, published in 438 A.D., Epigenes has the title of Count and Master of the Memory.⁵

As we see from the notices cited above, the Master of the Memory had the rank of *clarissimus* in the fourth century.⁶ In the fifth, however, he had attained the rank of *spectabilis* and the title of *comes*.⁷ In the time of Diocletian his salary was 300,000 sesterces.⁸ By the middle of the fourth century this Master had assumed that preëminence over the other Masters of the *Scrinia* which he still enjoyed in the following century.⁹ This Master also ranked with the highest of the provincial governors, but lower than the vicars and the high officials of the central administration, such as the Count of the *res privata* or the quaestor.¹⁰

The functions of the Master of the Memory, as defined by the *Notitia*, consisted in the drawing up in outline of the short imperial decisions which did not come within the competence of the quaestor, in the despatching of the same, when completed, and in the answering

¹ CIL. 6, 570, *Sextilius Agesilaus Aedesius v(ir) c(larissimus), . . . item magister libellorum et cognitionum sacrarum, mag(ister) epistular(um), magister memoriae, vicarius praefector(um) per Hispanias.*

² Amm. 15, 5, 3.

³ CIL. 6, 8621, *ex mag(istro) memo(riae).*

⁴ CIL. 12, 1524, *Cl. Lepida, ex consulari Germaniae Primae, ex mag(istro) memor(iae), ex comi(te) rerum privat(arum).* 409-413 A.D.

⁵ *Theodosianae Novellae*, 1, 7, *fin.*, *Epigenes, v(ir) s(pectabilis), com(es) et mag(ister) memoriae.*

⁶ CIL. 570, 1764, and *Eutropius, v(ir) c(larissimus), magister memoriae* in the dedication of his *Brevia*.

⁷ *Th. Nov.* 1, 7; *C. J.* 12, 9, 1, 444 A.D.

⁸ *Trecena illa sestertia quae sacrae memoriae magister acceperam, Eum. pro inst. sch.* 11.

⁹ CIL. 6, 570; *N. D. ll. cc.*

¹⁰ Cf. CIL. 6, 570, 1764; 12, 1524. Julianus was proconsul of Africa before being appointed Master (Amm. 27, 6, 2), but Secundius was first Master, then proconsul, CIL. 6, 1764.

of petitions.¹ From the latter part of these duties it can be seen that by the first quarter of the fifth century this Master had usurped in part the functions of the Masters of the Correspondence and the Petitions, and while these then merely received and reported upon the petitions (*preces*) the actual responses thereto were in his hands. It was also through the office of the Master of the Memory that military appointments, as well as those made by the quaestor,² and the orders and nominations issued by the Master of the Offices,³ were despatched.

This development of the competence of the *scrinium memoriae* to the detriment of the other bureaux had already made considerable progress in the third century and was the result of the close relations which necessarily ensued between its chief and the person of the emperor.⁴

In the Byzantine Empire the Master of the Memory at first had the title of ἀντιγραφὸς τῆς μνήμης,⁵ which was later changed to (δ) ἐπὶ τῶν ἀναμνήσεων.⁶

(b) *Magistri Epistularum* — Masters of the Correspondence.

The *Notitia Dignitatum* mentions two Masters of the Correspondence, one for Latin and the other for Greek, in the Orient,⁷ but only one, the Master of the Latin Correspondence, in the Occident.⁸ This resulted from the official documents being published in two languages in the former, in only one in the latter, half of the Roman world. These Masters were the successors of the earlier officials called *ab epistulis* and *ab epistulis Graecis*.⁹

¹ *N. D. or.* p. 44, *adnotationes omnes dictat et emittet, et precibus respondet (respondet tamen et precibus, occ. p. 161)*. On the meaning of *adnotationes dictat* (cf. *qui ad memoriam dictabat, vii. Claud. 7, 2*) vid. Böcking, *Notitia Dignitatum*, pp. 325-327, 415, 6; Hirschfeld, *KVB.* p. 336.

² *C. Th.* 1, 8, 2 = *C. J.* 1, 30, 1, 424 A.D.

³ *C. Th.* 1, 8, 1, 415 A.D.

⁴ On this point cf. Cuq, *Mémoire sur le concilium principis* (*Mémoires d'Institut Français*, 1884) pp. 311 f.

⁵ Petrus Patricius, *Fragmenta Historicorum Graecorum*, 4, p. 189.

⁶ Codinus, *De officialibus palatii Constantinopolitani*, pp. 11, 17; 41, 8 (Bekker).

⁷ *N. D. or.* p. 44, *magister epistularum Latinarum, magister epistularum Graecarum.*

⁸ *Id. etc.* p. 162.

⁹ Hirschfeld, *KVB.* p. 318, n. 1; Bloch in *Daremberg et Saglio*, 2, pp. 723-724. For the origin and growth of this office see, besides the authors cited, Friedländer, *Sittengeschichte*, 1, p. 182; Rostowsew, *Pauly-Wissowa*, 6, pp. 210 ff.

Apart from the incorrect use of the title in the *Historia Augusta*,¹ the earliest references to a Master of the Correspondence come from the fourth century, in the inscription of Aedesius quoted in the foregoing section,² and in a fragmentary inscription from Africa.³ Another mention of this officer is found in Symmachus.⁴ Among the chiefs of the *scrinia*, the Master of the Latin Correspondence ranked below the Master of the Memory, but above the Master of the Petitions.⁵ The Master of the Greek Correspondence, however, stood below the Master of the Petitions.⁶ Like the Master of the Memory, this secretary doubtless ranked among the *clarissimi* in the fourth century. In the fifth he was also a *spectabilis*, with the title of *comes*.⁷ At the time of Diocletian the Latin Secretary probably enjoyed a salary of 300,000 sesterces, while his colleague of the Greek department seems to have received only 200,000.⁸

According to the *Notitia*,⁹ the duty of the Master of the Correspondence was to examine and report upon the contents of documents presented by delegations from dependent or independent peoples, upon questions referred to the emperor by officials seeking advice, and upon various petitions. The Master of the Greek Correspondence drew up the forms for the documents which had to be put into Greek, or translated into that language the formulas which had previously been prepared in Latin.¹⁰ The actual issuing of these documents apparently rested with the *scrinium memoriae*.¹¹

¹ *Vita Hadriani* 11, Suetonio Tranquillo epistolarum magistro.

² *CIL.* 6, 570, Aesilius Aedesius v. c. . . . , mag(ister) epistular(um).

³ *Ephemeris Epigraphica*, 8, 262, . . . io Salustio, . . . , adlecto (magis)tro epistular(um).

⁴ *Epistulae*, 7, 60.

⁵ *CIL.* 6, 510; *N. D. or.* p. 44, occ. p. 162.

⁶ *N. D. or.* l. c.

⁷ *C. J.* 12, 9, 1, 444 A.D., *viris spectabilibus magistris omnium sacrorum scriniorum*.

⁸ Hirschfeld, *KVB.* p. 435, n. 3.

⁹ *N. D., ll. cc., legationes civitatum, consultationes et preces tractat.* On tractare cf. Böcking, *Notitia Dignitatum*, 2, p. 417, n. 7; Hirschfeld, *KVB.* pp. 322 ff. The competence of the earlier *ab epistulis* was greater but the office had lost by the development of the *scrinium memoriae*, cf. Cuq and Hirschfeld, *ll. cc.*

¹⁰ *Eas epistolas, quae graece solent emitti, aut ipse dictat aut latine dictatas transfert in Graecum*, *N. D. or.* p. 44.

¹¹ Hirschfeld, *KVB.* p. 357, and above.

(c) *Magister Libellorum* — Master of the Petitions.

In the case of the Master of the Petitions we have inscriptional evidence for the transformation of the title of his office from the form *a libellis*. The intermediate form was *magister a libellis*.¹ When this latter title was in use is not absolutely certain, but it cannot have been later than the third century, by the end of which the forms like *magister memoriae*, etc., had developed.²

Two inscriptions of the early fourth century give the title Master of the Petitions (*magister libellorum*),³ but another shows that this officer was called Master of the Petitions and Sacred Inquests (*magister libellorum et sacrarum cognitionum*) shortly after 350 A.D.⁴ Further, Ammianus has one reference to him as the "answerer of petitions."⁵ The *Notitia* has the older form of Master of the Petitions,⁶ which is also found in a constitution of Theodosius II from the year 438 A.D.⁷ However, in the constitution *tanta* of 533 we again meet with the title of Master of the Petitions and Sacred Inquests.⁸

These notices reveal that in the course of the fourth century the *scrinium libellorum* was united with that of the *cognitiones*, and, for a time, bore the title of *scrinium libellorum et sacrarum cognitionum*. From the end of the fourth century until early in the sixth this office had once more the simpler title of *scrinium libellorum*,⁹ but in the opening years of Justinian's reign it appears again as *scrinium libellorum sacrarumque cognitionum*.¹⁰

¹ CIL. 6, 1628, *magistro a libellis*, (m)agistro a censibus.

² Eumenes, *pro instr. sch.* II.

³ CIL. 6, 1704, C. Caelio Saturnino v(iro) c(larissimo) . . . , *vicario a consiliis sacris, magistro studiorum, magistro libellorum*, etc., before 324 A.D. CIL. 10, 1487, *magistro (libel)lorum*, cf. Hirschfeld, KVB. p. 334, n. 1.

⁴ CIL. 6, 510, *magister libellor(um) et cognition(um) sacrarum*; cf. Amm. 15, 5, 3, and *magister memoriae* above.

⁵ 20, 9, 8, 360 A.D., *libellis respondens*.

⁶ *Magister libellorum*, N. D. or. p. 44, occ. p. 162.

⁷ Th. Nov. 1, 7, Procopius, v(ir) s(pectabilis), com(es) et *magister libellorum*.

⁸ C. J. 1, 17, 2, 9, *Constantinum, virum illustrem, comitem sacrarum largitionum et magistrum scrinii libellorum sacrarumque cognitionum* = ἀντιγραφέα τοῦ θαυοῦ σκρινίου τῶν τε θαυῶν λιβέλλων καὶ τῶν βασιλικῶν διαγνώσεων.

⁹ C. J. 12, 9, 1, 386 A.D.; 9, 3, 396; 9, 4, 407; 9, 6, 416; 9, 10, 498; 9, 11, 518.

¹⁰ C. J. 1, 17, 2, 9, 533 A.D. or *sacrarum libellorum et cognitionum*, id. 12, 19, 15, 527.

The Master of the Petitions ranked below the Master of the Correspondence,¹ but, like the other Masters of these bureaus, he probably had a salary of 300,000 sesterces under Diocletian and was a *clarissimus* in the fourth century.² In the fifth he was a *spectabilis* and could have the titles of *comes*.³ We have seen that in 533 Constantine, Count of the Sacred Largesses and Master of the Petitions, was an *illustris*.⁴ However it is not certain that this latter office of itself could confer upon its holder the *illustrissimate*.

The duties of this Master consisted in the investigation of petitions and matters connected with the imperial inquests.⁵ At first this office seems to have handled only the private petitions,⁶ but from the time of its union with the bureau of the *sacrae cognitiones* the investigations conducted by the emperor came under its competence.⁷ Thus we find that the Masters of the Petitions were frequently jurists,⁸ and the contemporary holders of this office were concerned in the compilation of the Theodosian Code⁹ and Justinian's Digest.¹⁰ The answers to the petitions received in this office were, as has been pointed out, despatched through the *scrinium memoriae*.¹¹

The Greek title of this Master at the time of Justinian was ἀντιγραφεὺς τοῦ θεοῦ σκρινίου τῶν τε θελῶν λιβέλλων καὶ τῶν βασιλικῶν διαγνώσεων,¹² later, in the Byzantine epoch, it became ὁ ἐπὶ τῶν δεήσεων.¹³

(d) *Magister Sacrarum Cognitionum* — Master of the Sacred Inquests.

Although this Master of the Sacred Inquests does not appear among the Masters of the *Scrinia* in the *Notitia Dignitatum* nor in the Codes, and although there is no example of this title from the fourth century, yet, because his office was absorbed by that of the Master of the Petitions, and because he at one time occupied the position of a chef de

¹ *CIL*. 6, 510; *N. D. ll. cc.*

² *Th. Nov.* 1, 7; *C. J.* 12, 9, 1.

³ Hirschfeld, *KVB*. p. 435.

⁴ *C. J.* 1, 17, 2, 9.

⁵ *Cognitiones et preces tractat*, *N. D. ll. cc.*

⁶ Hirschfeld, *KVB*. p. 329.

⁷ Cuq, *le magister sacrarum cognitionum*, pp. 15 ff.

⁸ Hirschfeld, *KVB*. p. 329.

⁹ *Th. Nov.* 1, 7.

¹⁰ *C. J.* 1, 17, 2, 9.

¹¹ On the development of this office cf. Cuq, *le magister sacrarum cognitionum*; Karlowa, *Römische Rechtsgeschichte*, 1, p. 545; Hirschfeld, *KVB*. p. 326; Thenedat in *Daremberg et Saglio*, 3, p. 1174.

¹² *C. J. l. c.*

¹³ Codinus, pp. 11, 3; 39, 22 (Bekker).

bureau like the latter official, it seems right to give him a place here among the other Masters of the *Scrinia*.

The title *magister sacrarum cognitionum* occurs only once and then in an inscription from Aquileia in honor of Quintus Axilius Urbicus who, before filling this mastership, had been *a studiis* and *a consiliis Augustorum*.¹ The date of this inscription is uncertain. Hirschfeld² thinks that the emperors referred to may possibly have been the Philips (247–249 A.D.), while Cuq³ would make them Diocletian and Maximian (286–305). However, it seems certain that the Master of the Sacred Inquests was the successor of the *a cognitionibus*, although the development of his title was exceptional, in that it at one time had the form *procurator sacrarum cognitionum*.⁴

This Master had, as we see from the inscription quoted, the rank of *perfectissimus*.

The Master of the Sacred Inquests was concerned, as his title indicates, with the *cognitiones* or judicial investigations personally conducted by the emperor. His duty was probably to prepare the information necessary for the rendering of the imperial decision.⁵

Regarding the union of this office with that of the Petitions we have no direct information. However, as has been seen, the title *magister libellorum et sacrarum cognitionum*, which was in use previous to 376,⁶ and the definition of the duties of the Master of the Petitions found in the *Notitia*,⁷ show that it was accomplished in the fourth century at the latest. The reason therefor was probably that the imperial inquests became more and more rare, and, finally, were practically limited to cases of appeal, so that a separate bureau for the handling of the documents connected with such cases was no longer a necessity, and the

¹ *CIL*. 5, 8972, Q. Axilio Urbico, viro perfectissimo, magistro sacrarum cognitionum, a studiis et a consiliis Augustorum), etc.

² *KVB*. p. 330, n. 3.

³ *O. c.* p. 136.

⁴ *Bulletino Comunale*, 1898, p. 42; Hirschfeld, *KVB*. p. 330, n. 2. For the development of this office cf. the references given for the *magister libellorum*, especially Cuq; also Thenedat, *Daremberg et Saglio*, 1, 1285; Premerstein, *Pauly-Wissowa*, 4, p. 220.

⁵ Cuq, *o. c.* p. 112; Hirschfeld, *KVB*. p. 331, n. 2.

⁶ *CIL*. 6, 510.

⁷ *Cognitiones et preces tractat*, *N. D. or.* p. 44, *occ.* p. 162.

department of the Petitions could very well assume the additional burden.¹

From the time of this amalgamation, the title of Master of the Sacred Inquests, when it occurs, is always an appendage to that of Master of the Petitions.

(e) *Magister Dispositionum* — Master of the Schedules.

The Master of the Imperial Schedules was the chief of the *scrinium dispositionum*, one of the four secretarial departments attached to the court in both the Eastern and Western Empires.²

This bureau is first mentioned in a constitution of the Emperor Julian, dated 362 A.D.,³ and its origin and functions are uncertain. However, the author of the biography of Alexander Severus speaks of the *dispositiones* of the emperor as the published schedule of his journeys throughout the empire;⁴ and in a constitution of 397 the members of this office are designated as those who have the care of the order of the imperial *dispositiones*.⁵ Hence it may reasonably be assumed that it was the duty of the bureau to prepare the program of imperial business, especially that part of it which concerned the number and routes of the emperor's journeys.⁶

The Master of the Schedules, although a *clarissimus* towards the end of the fourth century, was not of the same rank as the other Masters of the *Scrinia*, but only held the same grade as their *proximi*.⁷ He passed out of service with the rank of *vicarius*, having precedence over those of similar grade whose service had not been at the court.⁸ This subordinate position of the Master of the Schedules was due to the inferior nature of the business of his office. He was probably promoted from among the members of his own bureau.⁹

¹ Cuq, *magister sacrarum cognitionum*, p. 138.

² C. Th. 6, 26, 2; C. J. 12, 19, 11; N. D. or. p. 32, occ. p. 145.

³ C. Th. 6, 21, 6. ⁴ *Vita Alex.* 45; cf. *vita Juliani*, 3, 27; *vita Maximi*, 9.

⁵ C. Th. 6, 29, 9, his, a quibus dispositionum nostrorum norma et series servatur.

⁶ Cf. Gothofredus on C. Th. 6, 26, 1; Schiller, *Geschichte der röm. Kaiserzeit*, 2, p. 103; Karlowa, R. R. 1, p. 836; Seeck, *Pauly-Wissowa*, 4, p. 647, who also includes among the duties of this office the issuing of invitations to the imperial table.

⁷ C. Th. 6, 26, 2, 381 A.D., *Clarissimos viros proximos scriniorum et magis(tr)os dispositionum vicariorum ordini copulamus*, etc.

⁸ L. c.

⁹ At least this was true of his successor the *comes*, C. J. 12, 9, 3, 443-444 A.D.

The title of Master of the Schedules was in use up to 381 at least,¹ but by 414 it had given place to that of *comes*.² Seeck³ thinks that this change was due to the honorary rank of *comes* which Arcadius in 397 mentions as having been bestowed upon the *proximi* of the other *scrinia*.⁴

In regard to rank the Master of the Schedules may be compared to the Master of the Audiences, who was likewise honored with the rank of *vicarius* upon the expiration of his term of service,⁵ but, who, when in office, had only the rank of *perfectissimus*.⁶

In conclusion it is necessary to consider the appellation *provisionum et dispositionum magister*, which occurs in an inscription of the year 378.⁷ Cozensa⁸ takes this phrase to be the full title of the Master of the Schedules. This view seems, on account of the following considerations, to be an incorrect assumption.

Firstly, the position of these words among the preliminary expressions of honor addressed to Probus, and not among his official titles, seems to indicate that they did not form part of the latter. Is the phrase *humanitatis auctor*, which follows, an official title?

Secondly, the position of Master of the Schedules does not accord with the *cursus honorum* given here.

Finally, the expression is not found in any of the other inscriptions erected in honor of the same Probus.⁹

Therefore one is led to the conclusion that the phrase is merely complimentary, meaning "master of forethought and wise counsels."

¹ C. Th. 6, 26, 2.

² Id. 6, 2, 23 . . . *tota impleta militia ad proximum (et comitivam) dispositionum vel magistrum admissionum (pervenerit)*.

³ Pauly-Wissowa, 4, 647.

⁴ C. Th. 6, 26, 10, *comes tertii ordinis*; 6, 26, 17, *comes secundi ordinis*; id. 18.

⁵ C. Th. 6, 2, 23.

⁶ Id. 6, 35, 7.

⁷ CIL. 6, 1751 = Dessau, *Inscriptiones Latinae Selectae* 1265, *Nobilitatis culmini, litterarum et eloquentiae lumini, auctoritatis exemplo, provisionum et dispositionum magistro, humanitatis auctori, moderationis patrono, devotionis antestī, Petronio Probo, v(iro) c(larissimo), proconsuli Africae, praefecto praetorio per Illyricum, Italiam et Africam, consuli ordinario, etc.*

⁸ *Official Positions after Constantine*, p. 63.

⁹ Cf. Dessau, nos. 1266, 1267, 1268.

Before leaving the discussion of the Masters of the *Scrinia* there are certain observations to be made in regard to their offices in general.

According to the *Notitia Dignitatum*¹ these Masters, i. e., the Masters of the Memory, Correspondence and Petitions, for the Master of the Schedules had changed his title to that of Count before the compilation of this list of dignities, took precedence over the provincial governors who had the title of proconsul, but stood immediately below the Quartermaster of the Palace (*castrensis sacri palatii*).

An imperial constitution of 444,² concerning these Masters of the *Scrinia*, provided that after the expiration of their term of office they should be exempt from the burden of all extraordinary contributions levied by civil or military governors.

Bury³ has expressed the opinion that the Masters of the Memory, Correspondence and Petitions were not the heads of the *scrinia* bearing the corresponding names, but only received their *adiutores* from these *scrinia*. This view he bases on the fact that in the *Notitia* the *scrinia* are placed under the control of the Master of the Offices (*magister officiorum*), whereas the Masters themselves are not.⁴ In spite of this fact I think that he is mistaken in his opinion. That the Masters were the heads of the *scrinia* is clear, it seems to me, for the following reasons.

(a) The titles of the Masters correspond to those of the *scrinia*.

(b) In *C. J.* 12, 9, 8 (444 A.D.) the Masters are distinctly called Masters of the *Scrinia*—*magistri sacrorum scriniorum*—a title which would have no meaning if they were not the chiefs of the *scrinia*, for they were certainly not subordinate officials thereof. Further, from the second part of the same constitution⁵ one would infer that the *proximi* of the *scrinia* were their subordinates.

¹ *N. D. or.* p. 2, *occ.* p. 163.

² *C. J.* 12, 9, 8, *Viris spectabilibus omnium sacrorum scriniorum. . . . Ideoque post depositum etiam officium ab omne indictionis onere seu civilium seu militarium iudicium prorsus immunes esse praecipimus.*

³ "Magistri Scriniorum," etc., *Harvard Studies in Classical Philology*, XXI, p. 29; cf. *N. D. or.* p. 44, *officium autem de ipsis nemo habet, sed adiutores electos de scriniis.*

⁴ *N. D. or.* pp. 2, 31, 44; *occ.* pp. 103, 144, 162.

⁵ The first part has been quoted before. It continues, *hoc beneficium ad proximos etiam sacrorum scriniorum et exproximis volumus propagari.*

(c) The very name of the *proximi*, whom Bury calls the heads of the *scrinia*,¹ indicates that they had superiors. Other *scrinia*, not included among the *scrinia sacra*, were presided over by a *primicerius* or *primiscrinus*.²

(d) The fact that in the *Notitia* it is stated that the Masters had no *officium* of their own but selected assistants from the *scrinia*, is to be explained by the circumstance that they had no need of such a bureau owing to the existence of the *scrinia*. For special services, however, they required clerks whom they thus drew from among the employees of the *scrinia*.

(e) The Masters had been, from the time of the creation of their offices under the Principate, the chiefs of these departments and, if, upon the appearance of the Master of the Offices, they had lost touch with their *scrinia*, they certainly would not have been designated as Masters of the *Scrinia* as late as 444 A.D.³

(f) Nor is it altogether inexplicable that these Masters, if heads of the *scrinia*, were not subordinated to the Master of the Offices under whose commands their bureaus stood, but were, as it appears, under the direct orders of the emperor. The removal of the bureau chiefs from the control of the Master of the Offices was an excellent means of furnishing a check upon the abuse of his authority. And we may suppose that, although the Masters of the *Scrinia* guided the business there conducted, the officials employed in these departments were, in matters of discipline, promotion and the like, under the orders of the Master of the Offices alone. Perhaps another reason for this supervision exercised by the latter was that a great deal of his official correspondence was conducted through some of these *scrinia*.⁴

In the Western Empire the Masters of the *Scrinia* did not survive the fall of the Roman power in 476. Mommsen⁵ thought that they were identical with the *referendarii* of the Gothic kingdom in Italy, but

¹ O. c. p. 23.

² Lécivain, *Daremberg et Saglio*, 4, p. 1125, who accepts the Masters as the heads of these *Scrinia*.

³ Still later, in 533, we find the title *magister scrinii libellorum sacrarumque cognitionum*, C. J. 1, 17, 2, 9.

⁴ C. Th. 1, 8, 1.

⁵ *Ostgothische Studien*, *Neues Archiv*, XIV, pp. 225 ff. = *Gesammelte Schriften*, vol. 6 (*Historische Schriften*, 3), pp. 362 ff.

Bury¹ has shown that this view is incorrect. However, in the Eastern Empire, they continued to exercise their functions, although after the sixth century they no longer had the Latin title *magister*, but the Greek *ἀντιγραφεὺς*.² As *ἀντιγραφεὺς*, then, they appear in the eighth and ninth centuries in the office of the Quaestor.³

2. *Magister Census* — Master of the Census.

The earliest mention of this Master of the Census, *magister census* or *censuum*, occurs in the inscription of Caelius Saturninus⁴ of the reign of Constantine I, according to which it is possible that he held the mastership not later than 313 A.D.⁵

Regarding the development of this office various views have been advanced. Mommsen⁶ considers the Master of the Census to have been the successor of the former *curator actorum*, afterwards *ab actis senatus*, an official appointed by the *princeps* to record the transactions (*acta*) of the senate. This theory rests mainly upon the identification of the position of Master of the Census with that held by a certain Capuanus, mentioned by Cassiodorus,⁷ who was appointed *decuriarum rector* and admonished "to guard with purity of conscience the records of the senate."⁸ Assuming this identity, Mommsen⁹ argues that the similarity of the functions of the Master with those of the *ab actis senatus* proves the development of the former from the latter office.

However, Seeck¹⁰ points out that the *decuriarum rector* was a *spectabilis*¹¹ and consequently of higher rank than the Master of the Census,¹² and, moreover, presided over all the *decuriae*, whereas the Master presided over the *censuales* alone. Therefore the two offices are not

¹ *Harvard Studies*, XXI, pp. 23-29.

² This had been the Greek term for these Masters since the Principate, *o. c.* pp. 24-25.

³ *O. c.* p. 25.

⁴ *CIL*. 6, 1704, Dessau, 1214, *C. Caelio Saturnino, v(iro) c(larissimo), . . . rationali vicario per Gallias, magistro censum, vicario a consillis sacris, magistro studiorum, magistro libellorum, etc.*

⁵ Seeck, *Pauly-Wissowa*, 3, p. 1911.

⁶ *Staatsrecht*, 3, pp. 1019-1020, cf. 2, pp. 901, 927.

⁷ *Variae*, 5, 22.

⁸ *L. c.*, *senatus scrinia conscientiae puritate servaret.*

⁹ *Staatsrecht*, 1, p. 370, n. 3.

¹⁰ *O. c.*, *l. c.*

¹¹ *Cass. Var. l. c.*

¹² See below.

identical.¹ Further, Mommsen² admits that we know nothing of an *officium* of the *ab actis senatus* previous to the time of Diocletian, whereas, as we shall see, there existed previously an office under the *a censibus*, from which it is more likely that the Master of the Census and his bureau developed. Again, Karlowa³ thinks that the functions of this Master were too extensive to have arisen out of those of the *ab actis*.

Seeck⁴ has advanced the theory that the Master of the Census was a creation of Constantine I, of the time when the latter fixed the senatorial land tax (*collatio glebalis*), i. e., immediately after the defeat of Maxentius (312-313 A.D.). He evidently regards the Saturninus of *CIL*. 6, 1704 as the first holder of this office. The reason for the establishment of this new office was, in his opinion, to provide for the valuation of the property of those from time to time admitted to the ranks of the senators.

More satisfactory, however, is the view of Hirschfeld⁵ which traces the Master of the Census back to the official of the pre-Diocletian period known as the *a censibus*, who in the third century appears as the *magister a censibus*.⁶ There can hardly be any doubt that this is the correct view.⁷

How, then, can one show the connection between the *a censibus* and the Master of the Census? This follows from both the functions and the titles of the two offices. Mommsen⁸ is to all appearances correct in describing as *a censibus* the official who, according to Herodian,⁹ Elagabalus appointed to supervise the education and the rating of the youths destined to enter the equestrian or the senatorial order, i. e., the sons of the office-holding aristocracy. Further, as Hirschfeld¹⁰ points out, when he shows that Seeck¹¹ is in error in considering the *a censibus*

¹ Seeck, *l. c.*

² *Staatsrecht*, 3, pp. 1019-1020.

³ *Rechtsges.*, 1, pp. 866-867.

⁷ It is accepted by Karlowa, *R. R.* 1, pp. 886-867, and by Kalopathakates on *census* in *De Ruggiero*, 2, p. 175.

⁸ *Staatsrecht*, 3, p. 490, n. 1.

⁹ Herodian, 5, 7, 7, πάλιν δὲ ἕτερον ὁμοίως τῆς σκηνῆς βαστάσας, παιδείας τῶν νεῶν καὶ εὐκοσμίας τῆς τε ὑποστάσεως τῶν ἐς τὴν συγκλήτῶν βουλὴν ἢ τὸ ἱππικῶν τάγμα κατατασσμένων προέστησεν. These duties explain the title of *a censibus*.

¹⁰ *KVB.* p. 68, n. 1.

⁴ *Pauly-Wissowa*, 3, pp. 1911-1913.

⁵ *KVB.* pp. 64-68.

⁶ *CIL*. 6, 1629 (m) *agistro a censibus*.

¹¹ *Pauly-Wissowa*, 3, p. 1911.

a provincial official, the *a censibus* to whom was addressed the decree of Caracalla¹ which provided that those who came to Rome for educational purposes should be excused from civic obligations in their native towns for so long as their legal studies detained them at the capital, refers to an officer resident in Rome, and, therefore, to the one in question. From this rescript it is clear that the *a censibus* exercised supervision over the students in Rome. Thus the functions of the *a censibus*, as far as they are known, warrant the assumption that he conducted the business of the *princeps* in his capacity of *censor*.² Now the rôle of the Master of the Census was similar if somewhat wider. The supervision of the students in Rome was in his hands,³ and likewise the *descriptiones senatoriae*⁴ and the preparation of the tax list of the senators.⁵

Now, considering the titles, we find that in the course of the third century, when the *a libellis* assumed the title *magister a libellis*, the *a censibus* likewise became *magister a censibus*.⁶ Since the *magister a libellis* became the *magister libellorum*, it is but natural that the *magister a censibus* should later appear as the *magister censuum*. And this is the title appearing in the inscription of Saturninus.⁷

Since we have then an official under Constantine whose title and duties correspond to those of an official of the Principate, it seems absurd to conclude that the former was an entirely new appointment. What probably took place was a reorganization of the office with the addition of new subordinates to undertake the added duties in connection with the senatorial land tax.

Constantine, when he organized his new capital on the Bosphorus, established there a similar bureau in imitation of the one at Rome. Lydus⁸ records that this Emperor appointed a Master of the Census as controller of records, and gave him *censuales* as assistants.

¹ Vatican Fragment, 204, *proinde qui studiorum causa Romae sunt, praecipue civilium, debent [excusari, quamdiu i]uris causa Romae agunt studii cura distracti et ita [imperator] Antoninus Aug(ustus) Cereali, a censibus, et aliis rescripsit.*

² So Hirschfeld, *KVB*. p. 67.

³ *C. Th.* 14, 9, 1.

⁴ *Id.* 6, 2, 21, 23; 1, 26, 12, etc.

⁵ *Id.* 12, 74, par. 1; Symmachus, *Reliquae*, 46, 2.

⁶ *CIL.* 6, 1928, *magistro a libellis*, (*m*)*agistro a censibus*. ⁷ *CIL.* 6, 1704.

⁸ Lydus, *de magistratibus*, 2, 30, τὸν δὲ μάγιστρον τοῦ κήρου ἐπιφημίσας οὐδὲν ἀρχόντα τῶν ἀρχετέπων συμβολαίων εἶναι κήρσον μὲν τὴν ἀπογραφὴν τῶν ἀρχεῶν, βέγεστα δὲ λέγουσι. καὶ . . . κηρουαλὴς δὲ τοῦτ' (ἀντὶ τοῦ ἀρχαιοφύλακας) ὑπηρετεῖσθαι διώρισε.

The Master of the Census, accordingly, appears both in Rome¹ and in Constantinople as the head of the clerks called *censuales*, who formed one of the *decuriae*.² The Master himself was under the orders of the Urban Prefect, to whose officium the *censuales* belonged.³

In the third century the *magister a censibus* had ranked below the *magister a libellis*.⁴ But Saturninus, the first recorded occupant of the office of Master of the Census, was promoted to this post from that of *vicarius a sacris consiliis* and later became Vicar of the *rationalis* for Gaul.⁵ As he had in the earlier part of his career filled the positions of *magister studiorum* and *magister libellorum*, it is evident that the office of Master of the Census had gained greatly in importance through its reorganization by Constantine. It is not certain when this Master was given the rank of *clarissimus* although it was probably in the course of the fourth century for in the *Notitia* he preceeds the *consularis aquarum*, who enjoyed that rank.⁶ At the close of the fifth⁷ and also in the sixth century,⁸ under Justinian, he was still a *clarissimus*, although the Masters of the Scrinia had become *spectabiles* previous to 438.⁹

The duties of the Master of the Census were the following.

(a) He had to act as the head of a court of record for the registry of contracts for alienation entered into, at the capital, by the guardians of orphans (*orphanotrophi*) and affecting the property of their wards;¹⁰ for the publication of the declarations of bankruptcy, which were removed entirely by Justinus¹¹ from the jurisdiction of the ordinary tribunals and the *defensores ecclesiarum*; for the publication, in specified cases, of the declarations, made at the capital, whereby a property-holder admitted a new *emphyteuta* in place of one who had sold his

¹ *C. Th.* 14, 9, 1.

² *Id.* 14, 1, 1.

³ *N. D. occ.* p. 4. The corresponding portion of *N. D. or.* has not been preserved, but it may be assumed that the arrangement in the East was the same as in the West.

⁴ *CIL.* 6, 1628, quoted above.

⁵ *CIL.* 6, 1704, see above.

⁶ *N. D. occ.* p. 144; Seeck, *Pauly-Wissowa*, 3, p. 1912. The *perfectissimus* used one of these Masters in *C. J.* 1, 3, 31, 472 A.D. is certainly a personal, not an official, title, Hirschfeld, *Kleine Schriften*, p. 662.

⁷ *C. J.* 8, 53, 32, 496 A.D.

⁸ *Id.* 4, 66 par. 3, 531 A.D.

⁹ *Th. Nov.* 1, 7.

¹⁰ *C. J.* 1, 3, 31, 472 A.D.

¹¹ *Id.* 1, 3, 40, 524 A.D.

rights to the newcomer (*inclinatio*);¹ and for the publication or deposition of recorded gifts made in the city, wherever the objects donated might be situated.²

Regarding all these documents the constitution came into force which provided that wills and other documents, which were accustomed to be published in the office of the *censuales*, were to be preserved there and no copy thereof was to be made.³

(b) As the chief of the *censuales* the Master had to direct the work entrusted to them in connection with the senate.

One of their duties was the preparation of the senatorial tax lists (*breves glebae senatoriae, senatoria et glebalis descriptio*).⁴ These lists were prepared quarterly for the Urban Prefect, who transmitted them to the emperor.⁵

At one time the *censuales* had the duty of collecting the *collatio glebalis*,⁶ and the *aurum oblativum*,⁷ even from the senators living in the provinces. But as these were burdensome tasks (*onerosa*) and as the *censuales* were unable to perform them properly (*executioni sufficere*), they were relieved of them in 397 A.D.⁸ However, since in their records they had full information regarding the resources of each senator, the amounts to be collected were left for their decision.⁹ And, in 541 A.D., the *censuales* were still regarded as among the exactors of the public revenues (*publica tributa exigentes*), for which reason they were refused the right of sanctuary when charged with fiscal extortion.¹⁰

Because of their knowledge of the resources of the individual senators, the *censuales* had the duty of nominating the pretors. In 361

¹ C. J. 4, 66, 3, par. 3, 530 A.D.

² Id. 3, 53, 30, 459 A.D., confirmed by id. 32, 496 A.D., *conscriptae donationes ubicunque positarum rerum*.

³ C. Th. 4, 4, 4, 397 A.D. = C. J. 6, 33, 18. For this side of the duties of the *censuales* cf. the account of Lydus, *de mag.* 2, 30, κηρσυναλὴς δὲ τοῦτοϛ (Master of the Census), ἀπὸ τοῦ ἀρχαιοφύλακας, ἀπηρεῖσθαι διάκρισις, and J. Nov. 128, 13.

⁴ Symm. Rel. 46, 2; id. Ep. 10, 67; cf. C. Th. 12, 1, 74, par. 1; 13, 3, 15-16.

⁵ Symm. Ep. 10, 67.

⁶ C. Th. 6, 2, 17, 397 A.D.

⁷ Id. 6, 2, 16, 395 A.D.; 6, 2, 20, 397.

⁸ Ll. cc.

⁹ Id. Seeck thinks that the *quaestores glebae senatoriae*, who appear after 400, were sent out by this office to collect the land tax, Pauly-Wissowa, 3, 1912.

¹⁰ Just. Nov. 128, 13.

they were deprived of this privilege,¹ which, however, was restored to them again in 393.² In Rome, if the pretors were absent from the city, the *censuales* celebrated the games incumbent on the holders of that office and collected the costs thereof from the absentees.³

A record of all judicial cases discussed in the senate, with an account of the charges and the names of the persons concerned, was preserved by the *censuales*.⁴

(c) It was likewise the duty of this office to see that the dress prescribed for the various official classes was not worn by persons not entitled to do so. For disregard of the regulations in this matter, or connivance thereat, a fine of twenty pounds of gold was inflicted.⁵

(d) Further, it seems that at the receptions and official assemblages over which the *praefectus urbanus* presided the *censuales*, who were in the bureau of that official, regulated the order of precedence.⁶

(e) Finally, the Master of the Census had the oversight of the youth of the provinces studying in Rome. All students coming to that city (*quicunque ad urbem discendi cupiditate veniunt*) had, first of all, to present to him certificates from the provincial governors, naming their residence, and their date of birth, and certifying to their previous good conduct. Then they were to inform him as to their proposed studies. Their places of residence in the city were to be known to his office and the *censuales* were to see that they conducted themselves in a fitting manner. If they did not do so, they might be publicly flogged and sent home to the provinces.⁷ This part of the Master's duties was a development from the supervision exercised by the *a censibus* of the Principate over the sons of members of the senatorial and equestrian orders.⁸

3. *Magister Studiorum* — Master of the Records.

The *magister studiorum* — Master of the Records — was the successor of the official called *a studiis*, who appears in company with the *a libellis* and the *ab epistulis* under Claudius.⁹

¹ *C. Th.* 6, 4, 13.

² *Id.* 26.

³ *Symm. Ep.* 4, 8, 3; *Rel.* 23, 2; *C. Th.* 6, 4, 27.

⁴ *C. Th.* 6, 28, 5 = *C. J.* 12, 22, 2. ⁵ *C. Th.* 14, 10, 1.

⁶ *C. Th.* 6, 28, 8, 435 A.D. ⁷ *Id.* 14, 9, 1, 370 A.D. ⁸ See above.

⁹ *Suet. Claud.* 28; *Seneca, ad Polybium*, 5, 2; 6, 4; *Hirschfeld, KVB.* p. 332.

In the latter part of the second and first part of the third century this title had the form *procurator a studiis*.¹ Somewhat later appears the form *magister a studiis*, which is attested by three inscriptions.²

Finally, early in the fourth century, this official had the title of *magister studiorum*,³ but there is no trace of the title beyond that date.

The *magister a studiis* had the rank of *perfectissimus*,⁴ and, apparently a salary of 200,000 sesterces. At least Vibius Fortunatus advanced from *magister a studiis* to be *procurator ducenarius stationis hereditatium*,⁵ and while this is not of itself conclusive evidence the office appears too high for a *centenarius*.⁶ Saturninus as *magister studiorum* ranked above the Master of the Petitions and was therefore a *trecenarius*.⁷

The functions of the Master of the Records are obscure. Cuq⁸ thinks that the duty of this officer was to investigate the records and to advise the emperor accordingly, not only on legal questions but also in matters relative to practices of cult and the interpretation of prodigies and omens. This view he bases on *CIG.* 5900, which records that M. Junius Vestinius, ex-High Priest of Alexandria and Egypt, ex-administrator of the museum at Alexandria and of the libraries at Rome, was appointed to the office of *a studiis*. And in support thereof he refers to a passage in Aulus Gellius,⁹ who mentions that Hadrian rendered a judicial decision after an examination of the opinion of the ancient philosophers and doctors. The *a studiis*, he thinks, had to search out these opinions.

¹ *CIL.* 8, 11, 340; 13, 1779; Hirschfeld, *KVB.* p. 333.

² *CIL.* 6, 1608, *Iuliano, p(erfectissimo) v(iro), (magi)stro a studi(i)s Aug(usti);* 8683, *(mag)is(t)ro a studi(i)s;* 10, 4721, *magistro a studiis.*

³ *CIL.* 6, 1704, *C. Caelio Saturnino, . . . vicario a consiliis sacris, magistro studiorum, magistro libellorum,* etc. For the date cf. the preceding section.

⁴ *CIL.* 6, 1608, above. From this one may conclude that all Masters at that time in the imperial offices were *perfectissimi*.

⁵ *CIL.* 10, 4721.

⁶ Hirschfeld, p. 334, n. 2.

⁷ Cf. the Master of the Petitions.

⁸ *Le concilium principis d'Auguste à Diocletian*, pp. 371-375.

⁹ *Noctes Atticae*, 3, 16 *Divum Hadrianum, causa cognita decrevisse in undecimo quoque mense partum edi posse idque ipsum eius rei decretum nos legimus. In eo decreto Hadrianus id statum se dicit . . . requisitis veterum philosophorum et medicorum sententiis.*

The connection of this office with questions of religion explains, in the opinion of Cuq, the appointment of Fortunatus, who was an *haruspex*, as *magister a studiis*.¹ In this connection he refers to an epigram of Martial,² addressed to Sextus, who was apparently at that time chief librarian of the Palatine and a *studiis*.

Hirschfeld³ and Friedländer⁴ agree with this view regarding the character of the office of the Master of the Records, although the latter ascribes to this official a slightly wider range of activity. Mommsen⁵ thought that the emperor's private libraries were under his direction, but Hirschfeld⁶ shows that this is unlikely.

Among the assistants of the *magister a studiis* we know of a *proximus a studiis*,⁷ and, when the title of the chief had become *magister studiorum* he had a *sexagenarius studiorum adiutor*.⁸

The disappearance of the Master of the Records and his office is to be accounted for, I believe, by the growth of the *scrinium memoriae*, which, with its *antiquarii*, obviated the necessity of having a special bureau to search out precedents for the emperor's guidance. Also, the acceptance of Christianity as a religion of state did away with the need of advice in dealing with prodigies and omens.⁹

(C) *Magister Admissionum* — Master of the Audiences

During the later Roman Empire the control of all the ceremonies and receptions at the court was in the hands of the Master of the Offices (*magister officiorum*),¹⁰ who had under his orders, to assist him in executing this part of his duties, a corps of ushers called *admissionales*.¹¹

¹ *CIL.* 10, 4721.

² *Ep.* 5, 5, *Sexte, Palatinae cultor facunde Minervae*
Ingenio frueris qui propiore dei;
Nam tibi nascentes domini cognoscere curas
Et secreta ducis pectora nosse licet.

³ *KVB.* pp. 332-333.

⁴ *L. c.*

⁵ In Harnack, *Texte u. Untersuchungen*, 1903, 9, p. 3.

⁶ *KVB.* p. 304, n. 5.

⁷ *CIL.* 6, 8637.

⁸ *CIL.* 3, 1104.

⁹ It may be noted here that *C. Th.* 12, 1, 26, 338 A.D. has *magistri studiorum* for *magistri scriniorum*, and that in *C. Th.* 13, 3, 5, 362 the *magistros studiorum doctoresque* are of a different character from the official in question, Hirschfeld, *KVB.* p. 334, n. 1.

¹⁰ *Cass. Var.* 6, 6.

¹¹ *N. D. occ.* p. 144; *officium admissionum id. or.* p. 31.

These *admissionales* appear in the reign of Constantine I in the place of the officials of the *ab admissione* of the Principate.¹ They had as their chief the *magister admissionum* — the Master of the Audiences, — whose position will now be considered.

The date of the appearance of the title Master of the Audiences is uncertain. Its employment in the *Historia Augusta* with reference to the reigns of Alexander Severus² and Valerian³ is, according to Seeck,⁴ a transference of the fifth century usage to an earlier epoch, while Hirschfeld⁵ is inclined to accept these passages as giving the form in use in the third century. Ammianus Marcellinus⁶ refers to such a Master in 355, and another notice of the title occurs in a constitution of 414.⁷ However the title does not appear in the *Notitia Dignitatum*. Of more importance than these notices for the history of this title is an inscription from Sublaqueum in Latium, which reads as follows, — *D.M. M(arco) Aurelio, Aug(usti) lib(erto), Antiochiano, magistro ab atmissione. Antiocharius et Antiochis fili, eredes, patri optimo.*⁸ The form *magister ab atmissione* at once recalls the *magister a libellis* and the *magister a censibus* of the late third century.⁹ It seems then that the title *magister ab admissione* was in use at this period having superseded the earlier form *ab admissione*. We may further assume that, as was the case with the titles of the chiefs of the *scrinia*, another change was effected in this title by Diocletian, under whom this Master was called the *magister admissionum* and his subordinates were designated *admissionales*.

The fact that this Master was a freedman in the third century,¹⁰ at a time when the other Masters in the imperial service were equestrians, is to be attributed to the humble nature of his office.

¹ Friedländer, *Sittenges.* 1, pp. 134 ff.; Karlowa, *R. R.* 1, p. 832; Schmidt, *Pauly-Wissowa*, 1, pp. 381-382; Seeck, *id.* p. 393.

² *Vita Alex.* 4, 3.

³ *Vita Aurel.* 12, 4, *Aeboli, qui magister admissione Valeriani principis fuit.*

⁴ *Pauly-Wissowa*, 1, p. 382.

⁵ *KVB.* p. 310, n. 2.

⁶ 15, 5, 18, *per admissionum magistrum, qui mos est honoratior, accito.*

⁷ *C. Th.* 6, 2, 18 (33).

⁸ *CIL.* 14, 3457. The inscription is undated but must refer to one of the third century emperors.

⁹ *CIL.* 6, 1268, see above.

¹⁰ Cf. *CIL.* 14, 3457.

These *admissionales* were allowed to enter the court service only by virtue of imperial warrants (*probatoriae*), which were preserved in the bureau of Petitions.¹ They were no longer *liberti*, like the earlier subordinates of the *ab admissione*, but freemen, and could, by passing through all the inferior grades of their service (*tota impleta militia*), attain the rank of Master of the Audiences.² The mastership conferred the perfectissimate upon its holder.³

The Master in his turn could be made a senator with the rank of *vicarius* (*vicaria dignitas*), but then was excused from the senatorial land tax (*collatio glebalis*), and also from the payment of the seven *solidi*, which even the senators of lowest rank were expected to contribute.⁴ He was also exempted from the furnishing of recruits and horses.⁵

It is evident that the Master of the Audiences was not a very important official, nor does he appear to have had any administrative or executive functions. He was merely the court usher of the longest service, who for this reason was set over his fellows, and his duties consisted mainly in regulating the order of precedence at the imperial audiences.⁶

In the Byzantine Empire the Count of the Audiences takes the place of the Master.⁷

RECAPITULATION

From what has been said concerning the several Masters one may make the following general sketch of the employment of this title among the civil officials of the Empire.

In this sphere the title of Master makes its appearance towards the end of the first century. It was then used as the title of certain officials employed in connection with the collection of the revenue, which at that time was being removed from the hands of private contractors

¹ *C. J.* 12, 59, 10, par. 5.

² *Ad magistrum pervenerit, C. Th.* 6, 2, 18, 23, 414 A.D.

³ *A primis quibusque gradibus usque ad perfectissimatus ordinem, C. Th.* 6, 35, 7.

⁴ *Immunis a septem quoque solidorum praestatione, quae tenuissimos senatores adsolet obligare, C. Th.* 6, 2, 18.

⁵ *Id.* 11, 18, 1.

⁶ Perhaps this is the explanation of his omission from the *Notitia*.

⁷ Constantine Porphyrogenitus, *Liber Ceremonialis*, I, 81, 84, κούμης ἀδμυσσινωσ.

and placed under imperial control. Other officials engaged in the same service had at this time the title of Deputy Master (*promagister*). It seems clear that these titles were adopted for the imperial offices from the *societates publicanorum*, at the same time that the government assumed the responsibility for the raising of taxes. By the end of the second century these Masters and Deputy Masters had disappeared, probably owing to a reorganization of the procuratorial system.

In the third century we meet with another group of Masters. The title was then used of the officials in charge of the various departments (*curae, officia, scrinia*) of the imperial administration centered at the capital. These Masters were not new officers, but were the heads of administrative departments previously known as *ab admissione, a censibus, ab epistulis, a libellis, a memoria, and a studiis*. All these officials, with the exception of the *a cognitionibus* and the *a studiis*, seem at first to have added the word *magister* to their previous titles, so that we find the forms *magister ab admissione, magister a censibus* and *magister a libellis*. The *a studiis* became first *procurator a studiis* and then *magister a studiis*. The *a cognitionibus*, however, appears next as *procurator sacrarum cognitionum*, while the form *magister a cognitionibus* is not known. When these changes took place cannot definitely be determined. It was after 239 A.D. at the earliest, for at that date the title *ab epistulis* was still in use.¹

The references to these Masters, under the titles of *magistri officiorum* or *magistri scriniorum* in the *Historia Augusta*,² in the lives of Alexander Severus and his predecessors, cannot be regarded as proof that they were called Masters previous to 239. Whether we accept the hypothesis of Dessau³ and Seeck⁴ that this work is a forgery of the time of Valentinian and Theodosius, or the view of Mommsen⁵ and others⁶ that it was compiled in the age of Diocletian and Constantine, the anachronisms in the use of the title *magister* are so numerous that

¹ CIL. 6, 1088, *Numisius Quintianus, v(ir) p(er)fectissimus*, *ab epistulis latinis*.

² *Magistri officiorum*, Pesc. Nig. 12; Alex. 32; cf. Gall. 17; *magistri scriniorum*, Ver. 4; Alex. 26.

³ *Hermes*, XXIV, p. 337.

⁴ *Rheinisches Museum*, XLIX, p. 208.

⁵ *Hermes*, XXV, p. 228.

⁶ Cf. Schanz, *Römische Literatur*, 4, p. 55.

no reference to a Master can be accepted without the support of inscriptional evidence.¹ But since the form *magister a* with the ablative appears in numerous inscriptions of the third century, we may assume that the Masters recorded in the *Historia* for the period 250–284 A.D. were *magistri a memoria*, etc.

Probably under Diocletian, before 297, these titles underwent a further change. The preposition *a* (*ab*) was dropped and the following ablative became a genitive, so that from this time the forms *magister epistularum*, *magister studiorum*, and the like were in use. About the same time the *procurator sacrarum cognitionum* became *magister sacrarum cognitionum*, and the title of Master was bestowed upon the chief of the newly formed *scrinium dispositionum*.

It is, perhaps, impossible to say why the title of Master was chosen for these bureau chiefs. One might think that the Masters of the priestly colleges, in which there was only one such official regularly acting as the head of the college, furnished the model. But it was probably the general adaptability of the title, as indicating the one who assumed the direction or leadership in any field, that determined its adoption here.

Meanwhile, the title of Master had made its reappearance in the financial administration. In the course of the third century the director of the *res privata* became *magister (sacrae) privatae* and the assistant of the chief of the *fiscus* was called *magister summarum rationum*. Both these titles disappeared before the close of the reign of Constantine I, and, from then until towards 350, the supervisors of the *ratio privata* in the provinces enjoyed the title of *magistri (rei) privatae*. In this branch of the administration the title of Master was probably used in imitation of the practice in vogue in the secretarial departments.

Under Constantine the Great appeared the title of Master of the Offices,² applied to an official destined to survive all his colleagues with a similar designation, who appears in the Byzantine Empire as (δ) μάγιστρος.³ In the course of the fourth century there were appointed, in the Eastern Empire, the minor officers known as *magistri lineae*

¹ A glaring example of the misuse of this title is found in *Vita. Had.* 11, where *magister epistularum* appears for *ab epistulis*.

² Cf. Mommsen, *Gesammelte Schriften*, 3, p. 26; Seeck, *Untergang d. antiken Welt*, 2, ch. 2; *Pauly-Wissowa*, 7, pp. 631 f.

³ Cf. Theophanes cont. *Chronographia*, passim.

vestis and *magistri privatae*, while at the same time, in both East and West the Master of the Sacred Inquests disappeared with the merging of his bureau with that of the Master of the Petitions. Contemporary is the abolition of the office and mastership of the Records (*magister studiorum*). It is possible that when the administration of the *domus divina* was separated from that of the *res privata* towards the end of the fourth century the Masters, who in the sixth century directed the administration of the Cappadocian estates, received this title.

The Masters of the *Scrinia* were abolished in the West upon the establishment of the Gothic Kingdom in Italy, and, in the East, after the reign of Justinian, they were known by their Greek titles only.

From that time there remained only the Master of the Offices, whose office, between the sixth and ninth centuries developed into an order of merit of the Byzantine Empire,¹ which, in this guise, preserved the title of Master as late as the beginning of the twelfth century at least.²

It is to be noted that these Masters in the civil service, with the exception of the *magister summarum rationum* and the *magistri lineae vestis* and *privatae*, always stood at the head of their office or, at least, of a department thereof, thus occupying a position in accord with the implicit meaning of a title denoting one, *qui magis ceteris potest*.³

II. MASTERS WHO WERE MILITARY OFFICERS OF THE ROMAN EMPIRE

1. Of the Principate.

During the Principate the title of Master was borne by several subordinate military officers. Regarding their precise duties we have little information, for the references to each of them are limited to single inscriptions. Nor are we informed regarding the creation or abolition of the posts which they filled. The Masters revealed to us by these scanty notices are now to be considered.

(a) *Magister Ballistarum* — Master of the *Ballistae*.

This Master is mentioned in an inscription from the Ager Nova-riensis and the holder of the title was P. Aelius Optatus, a soldier of the

¹ Bury, *Imperial Administration in the Ninth Century*, p. 16.

² Anna Comnena, *Alexiadas*, p. 95, 11 (Bonn).

³ Pollux, 6, 83.

twentieth legion.¹ He was probably the commander of the corps of *ballistarii*, who, in the second century, were attached to each legion for the special service of the machines (*ballistae*) for casting stones and other missiles, which in the Roman army, took the place of the modern artillery.²

(b) *Magister Cohortis* — Master of the Cohort.

A Master of the Cohort appears in an inscription from Intercisa.³ According to Domaszewski⁴ he was an extraordinary officer, the instructor of the mounted archers (*equites sagittarii*) of a particular cohort, and corresponded to the Riding Master of the cavalry attached to the legions (*equites legionis*).

(c) *Magister Equitum* — Master of the Horse.

From Aquileia comes notice of a certain Julius, a supernumerary centurion of the eleventh legion, who entered in the mounted corps and was promoted to be Master of the Horse.⁵ As Master of the Horse he was probably the commander of the *equites legionis*, who numbered 726 men.⁶

(d) *Magister Kampi* — Riding Master.

In a dedication made by the cavalry of the third legion to Severus Alexander at Lambaesis appears the name A. Geminius Extrucatus, followed by the title *mag. k.*, which is usually completed as *m(agister k(ampi))*.⁷ The duties of this officer have been explained as those of a riding master.⁸

(e) *Magister Numeri* — Master of the Troop.

Similar in character, perhaps, to the position of the preceding Master was that of Salustius Martialis, the Master of a detachment

¹ CIL. 5, 6632, *P. Aelius Optatus, miles in leg(ione) XX, magister ballis[t]a[r]ius*.

² Seeck, *Pauly-Wissowa*, 2, p. 2831.

³ CIL. 3, 10, 307, *Barsemis Abbei, decu[r]io ala[e] prima[e] katafractaria[e], ex numero Hosroenorum, mag(ister) coh(ortis) (miliareae) Hermes[ci]orum*.

⁴ *Bonner Jahrbücher*. CXVII, p. 59.

⁵ CIL. 5, 8278, *Iulius, centurio supernumerarius leg(ionis) XI Claudia, . . . postea profecit discens equitum ordine, factus magister equitum. . .*

⁶ Domaszewski, *o. c.* pp. 48 f.

⁷ CIL. 8, 2562, cf. *Neue Heidelberger Jahrbücher*, IX, p. 150.

⁸ Domaszewski, *l. c.*

(*numerus*) of the Moorish *Barcarii*.¹ He was a member of an auxiliary squadron (*eques alae*), and very likely served as a drill instructor for this *numerus*.²

2. In the Later Roman Empire.

After the reorganization of the state and the army by Diocletian and Constantine there is no further trace of these military Masters of the Principate, although they possibly continued to exercise their functions as before. One more subaltern officer with this title appears in a couple of inscriptions, but the chief military Masters of this later period were the *magistri militum* — Masters of the Soldiers — who, from the time of the creation of their office, were the commanders-in-chief of the army, and, in the history of the Empire, played a part far more important than any of the Masters in the civil service.

We shall first consider the references to the above-mentioned subaltern Master, the *magister castr*i, and then attempt a discussion of the Masters of the Soldiers.

(a) *Magister Castr*i — Master of the Fort.

An inscription of the fifth century from Isaurium in Britain records, if the reading proposed in the *Corpus* is correct, a certain Vindicianus, who built a fort under the direction of a *praepositus militum*.³ Also a tablet commemorating the building of a fort (*castrum*) at Ain Ksar in Numidia, between 578 and 582, concludes with the words *Focas magister fecit*.⁴

It seems that the two Masters referred to in these inscriptions were *magistri castr*i, officers subordinate to the *praepositus castr*i, the commandant of a fortified encampment,⁵ and perhaps in charge of the technical construction of fortifications.

(b) *Magistri Militum* — Masters of the Soldiers.

The office of Master of the Soldiers (*magisterium militum*) was a creation of Constantine I. Both Lydus⁶ and Zosimus,⁷ our authorities,

¹ *CIL*. 8, 21, 568 *magister Barcarioru(m)*.

² Domaszewski, p. 61.

³ *CIL*. 7, 268, *Iustinianus p[rae] p[ositus]*, *Vindicianus m[agister] a[r]biteriu pr[ae]positi m[ilitum] castrum fecit*, etc.

⁴ *CIL*. 8, 4354.

⁵ *Praepositus*, here used in the general sense of commander of a detachment, cf. *Digest*, 49, 16, 3 and 6.

⁶ *Lyd. de mag.* 2, 10; 3, 40.

⁷ *Zos. Historia*, 2, 33.

are agreed upon this, but neither of them gives any precise information about the date at which this creation took place. However, both authors are again in accord in connecting it with the separation of the Prefects from the imperial court and their appointment to specific districts. This latter change seems to have taken place in 318, following the elevation of the young sons of Constantine to the rank of Caesars.¹

Seeck² presents a reasonable hypothesis in supposing that the appointment of these new Masters took the form of a definite and permanent assignment of a sphere of action to two *comites*. He finds, namely, that at this time two groups of *comites*, military and civil, appear, each having a sharply defined position. The *comites* of the military group were the *comes et magister equitum*, *comes et magister peditum*, *comes domesticorum equitum*, and *comes domesticorum peditum*. By 325, Seeck believes, these positions were definitely established, and, then, shortly after 318 would seem to be the most reasonable date to assign for the establishment of the *magisterium* in question.

However, the earliest definite reference to a Master of the Soldiers occurs in a constitution of 347.³ Ammianus records the office for 353,⁴ and the first inscriptional evidence for the presence of these Masters dates from 365-367.⁵

Our sources are clear in motiving the creation of this new military office as an attempt to reduce the power of the Pretorian Prefect, similar to the allotment of part of his functions to the Master of the Offices, which Lydus describes in the same connection.⁶ It was the completion of the scheme for the separation of the civil and the military power introduced by Diocletian. The latter, in his anxiety to prevent the possibility of rivals for the throne appearing in the provinces, had severed the control of the provincial troops from the civil authority, giving the former to the *duces* and leaving the latter with the *praesides*. But he had left the Pretorian Prefect the supreme military as well as civil power. Constantine now deprived this pre-

¹ Seeck, *Rh. Mus.* XLIX, p. 210; *Pauly-Wissowa*, 4, 632.

² *Ll. cc.*

³ *C. Th.* 5, 4, 1, *Bonosus, magister equitum*. *Id.* 11, 1, 1, falls under Constantius, Mommsen, *Hermes*, XXXVI, p. 533.

⁴ *Id.* 9, 3, a *magister equitum*; 15, 5, 1, 355 A.D., *Silvanus pedestris militiae rector*.

⁵ *CIL.* 3, 10, 596, *Equitio, mag(ister) equitum peditumque*.

⁶ *De mag.* 2, 10; 3, 40.

fecture of military authority and appointed two new officers, the Masters, as commanders-in-chief of the army, subject, of course, to the emperor.¹ Under the régime of Diocletian this separation had perhaps seemed unnecessary, because the Prefects were directly under the eyes of the *Augusti* and Caesars, who were grown men. But, under Constantine, the Caesars were still children when set over the various parts of the empire, and there was reason to fear the ambition of some Pretorian Prefect who directed the government for any one of the young princes. Accordingly Constantine was led to deprive the office of Prefect of its military command. And not only that, but he also went so far as to divide the military command itself, appointing one general for the cavalry and another for the infantry.² This was in a large measure due to the change in military organization and tactics, whereby the cavalry assumed a much more important position than formerly.³

The title Master had not been employed to designate a superior military commander since 44 B.C., when the dictatorship, and consequently the republican mastership of the horse, was abolished.⁴ But, although as a civil and religious title it was in common use in the fourth century, and had even been employed in the preceding century for subaltern military officers, it seems that the early Roman Master of the Horse (*magister equitum*) served as a model, at least as far as the name was concerned, for the new office. This title, being that of a well-known historical office of which the function, at least originally, had been the command of the Roman horse,⁵ could well be adopted for the new cavalry commander, while it was easy to invent a parallel form, Master of the Foot (*magister peditum*), to designate the commander of the infantry. The Greek equivalent for Master of the

¹ Karlowa, *R. R.* 1, p. 849; Mommsen, *Hermes*, XXXVI, p. 533; Seeck, *Geschichte d. Untergangs d. antiken Welt*, 2, p. 83.

² Zos. 2, 33, τὸν μὲν τῆς ἵππου τὸν δὲ τῶν πεζῶν; cf. Mommsen, *l. c.*; Seeck, *l. c.*

³ H. S. Jones, *The Roman Empire*, p. 309, on Cedrenus, p. 309 (Bonn), sees a forerunner of the *magister equitum* in a special commander of the cavalry under Gallienus. However, Cedrenus only records that Gallienus substituted in part cavalry for infantry in the Roman army, πρῶτος ἱππικὰ τάγματα κατέστησε· πεζοὶ γὰρ κατὰ τὸ πολὺ οἱ στρατιῶται τῶν Ῥωμαίων ὑπῆρχον.

⁴ Appian. *Bellum Civile*, 3, 25, 94.

⁵ Mommsen, *St. R.* 2, p. 173.

Soldiers was *στρατηλάτης*,¹ rarely *μαγίστρος*,² which was reserved for the Master of the Offices, but perhaps even commoner in literary as well as official usage was the simpler form *στρατηγός*.³ The Latin forms *magister armorum* and *rector militiae*, as also *magister rei castrensis*, are found in Ammianus,⁴ but do not appear in official documents. The change of the title *magister equitum* or *peditum* to *magister militum* will be considered in connection with the history of the office.

At first there were only two Masters — the Master of the Horse and the Master of the Foot — functioning for the whole empire⁵ then in the hands of a single ruler. It is not certain if, at the death of Constantine I, in 337, his successors appointed two such Masters for the territory of each, but that was probably the case. However, when as early as 349 the addresses of the Theodosian Code begin to show the titles *magister equitum et peditum*,⁶ and *magister militum*,⁷ this does not indicate that new offices had been created but only that the character of the old ones had begun to change. But, in 363, a *magister equitum per Gallias* appears as a new and permanent appointment.⁸ Two years later, in 365, a similar appointment was made for Illyricum.⁹ In that year there seem to have been three Masters under Valentinian in the West, namely, Jovinus, Master of the Horse for Gaul,¹⁰ Dagalaifus, Master of the Horse;¹¹ and Severus, Master of the Foot.¹² At the same

¹ E. g. in Zos. 2, 33; *J. Nov.* 145, 155; *Chronicon Paschale*, pp. 601, 603 (Bonn); Socrates, *Historia Ecclesiastica*, 6, 6; cf. DuCange, *Glossarium mediae et infimae Graecitatis*. In Theophanes, *passim*, *στρατηλατῆς* = *magisterium militum*. Zos. 4, 27 uses τοὺς τῶν στρατιωτικῶν ἡγουμένους.

² *CIL.* 8, 259.

³ *Lyd. de mag.* 2, 10; 3, 40; *CIL.* 8, 4677, etc.

⁴ *Magister armorum*, 15, 5; 16, 7, 3; 20, 1, 2, etc.; *rei castrensis*, 27, 10, 6; *rector pedestris militiae*, 15, 4, 2; 18, 3, 1; *equorum copias qui tuebatur*, 28, 3, 9; cf. Mommsen, *Hermes*, XXXVI, p. 532.

⁵ Zos. 2, 33; 4, 27.

⁶ *C. Th.* 7, 1, 2, *Silvanus comes et magister equitum et peditum*.

⁷ *Id.* 8, 7, 3, *comes et magister militum*.

⁸ Jovinus, *magister armorum*, Amm. 25, 8, 11; 26, 5, 2; but *magister equitum* in *C. Th.* 7, 1, 9; also *mag. eq. et ped.*, *id.* 7, 1, 7; and *mag. mil.* 7, 1, 10.

⁹ *Equitius magister armorum per Illyricum*, Amm. 26, 5, 11; 6, 3; *mag(ister) equitum et peditum per Illyricum*, *CIL.* 3, 10, 596, 365-367 A.D.; cf. 3, 3653, *mag(ister) utriusque militiae*, 367 A.D.; 567ca, 370 A.D.

¹⁰ Amm. 26, 5, 2; *C. Th.* 8, 1, 10.

¹¹ Amm. 26, 1, 6; 5, 2; *C. Th.* 7, 20, 9, 366 A.D.

¹² First mentioned for 367, Amm. 27, 6, 3; cf. *C. Th.* 8, 7, 11, 371 A.D.

time in the East there were with Valens the following Masters, Victor, *magister equitum*;¹ Arinthaëus, *magister peditum*;² Lepicinus, *magister equitum*, who had charge of the extreme East;³ and, finally, Equitius, Count of Illyricum (*comes Illyrici*), who in that year was raised to the dignity of Master (*magisteria dignitas*).⁴ Thus, in 365, there were four Masters in the East and three in the West. Apparently no further addition to their numbers was made until the reign of Theodosius I.

Theodosius, says Zosimus,⁵ increased the number of the Masters of the Soldiers, creating more than five in place of the former Master of the Horse and Master of the Foot. It seems that this account does not apply to the western half of the Empire, for the *Notitia Dignitatum* shows that the number of Masters there in 425, was the same as in 365.⁶ In the East there were in 425 five Masters — *magistri equitum et peditum in praesenti duo*, *magister per Orientem*, *magister per Thracias*, and *magister per Illyricum*⁷ — of whom four were already in existence in 365.⁸ Thus the only possible interpretation of Zosimus is to hold that Theodosius made a more thorough organization of the previously existing system, abolished the difference between the Master of the Horse and the Master of the Foot (for all are henceforth *magistri equitum et peditum*), strictly defined the military districts, which perhaps lacked the necessary precision, and increased their number by the addition of the Thracian command. The time of this reorganization falls after

¹ Amm. 26, 5, 2, 365; 27, 5, 2, 367; *mag. mil. C. Th.* 7, 4, 12, 364.

² Amm. 26, 5, 2; 27, 5, 4; 5, 9.

³ *Id.* 26, 5, 2, *partes tuebatur eoas*, cf. in 378, *Iulius, magister militum trans Taurum*, *id.* 31, 16, 8.

⁴ *Id.* 26, 5, 2; 5, 11; *C. Th.* 7, 1, 8, 365; *CIL.* 3, 10, 596.

⁵ 4, 27, τοὺς δὲ τῶν στρατιωτικῶν ἡγουμένους πλείονες ἢ πρότερον εἰργάσατο, ἐὸς γὰρ ὄντος ἱππάρχου, καὶ ἐὸς ἐπὶ τῶν πεζῶν τεταγμένου, πλείους ἢ πέντε ταύτας διέθεμε τὰς ἀργάς.

⁶ *N. D. occ.* p. 103; Mommsen, *Hermes*, XXXVI, p. 538. The position of Gildo, *comes, et mag. utriusque militiae per Africam*, *C. Th.* 9, 7, 9, 393 A.D. was merely temporary and did not reappear until Justinian, cf. Seeck, *Pauly-Wissowa*, 7, p. 1360.

⁷ *N. D. or.* p. 1.

⁸ The *magister militum per Thracias* appears for the first time in *C. Th.* 7, 17, 1, 412 A.D.

386,¹ and Zosimus places it during the presence of Theodosius in Thessalonica 388-389,² so that 388 may be the correct date.³ As has been remarked, this arrangement did not affect the West, where the old system continued, and for which the *Notitia* shows a *magister peditum in praesenti*, a *magister equitum in praesenti* and a *magister equitum per Gallias*.⁴ In the East no further change took place in the number of the Masters until the reign of Justinian (527-565 A.D.) who added two new offices, one the *magister militum per Armeniam*,⁵ and the other the *magister militum per Africam*.⁶ Still later, under the emperor Mauritius, a *magister militum Spaniae* was appointed.⁷ In the West, with the possible exception of a *magister militum Dalmatiae*,⁸ no new mastership was called into being. The development of these offices in this part of the Empire ran a different course than in the East, ending in the concentration of the powers of the two Masters in the Presence (*in praesenti*) in the hands of a single person and the rise of the barbarian *generalissimi* who finally overthrew the Empire of the West.

Having thus taken a general survey of the distribution of these masterships throughout the Empire it is time for us to examine the internal development which took place in the character of the offices. Constantine I. had appointed his two Masters with the idea that the emperor or one of the Caesars should conduct each important campaign in person, entrusting no general with a wide command over both infantry and cavalry.⁹ Thus the field army, composed of the *palatini* and *comitatenses*, would be always under the direct orders of the Augusti and Caesars, assisted by the Masters, for it was over these corps and not over the fortress troops (*limitanei* or *castrenses*) that the Masters were placed. But soon, probably when the number of imperial rulers was reduced to two in 340, it was found impossible for these to take the field upon every occasion, and consequently it became

¹ For then Timasius was a *magister equitum* of the old order, *C. Th.* 4, 17, 5.

² Zos. *l. c.*, cf. Hodgkin, *Italy and her Invaders*, 1, 2, pp. 463 ff.

³ Timasius was then *magister equitum et peditum*, Ambrosius, *Ep.* 41; cf. *C. Th.* 7, 13, 39, Archomes, *comes et magister equitum et peditum*, Mommsen, *Hermes*, XXXVI, p. 537. The *ἡγεμὼν ἡ πύρρ* of Zosimus may possibly be understood, with Mommsen, *o. c.* p. 536, to refer to *codicillarii magistri*, but that does not seem quite satisfactory.

⁴ *N. D. occ.* p. 103.

⁵ *C. J.* 1, 29, 5.

⁶ *Id.* 1, 27, 2.

⁷ *CIL.* 2, 432, 589-590 A.D.

⁸ *C. J.* 6, 61, 5, 475 A.D.

⁹ Mommsen, *Hermes*, XXXVI, p. 534. Seeck, *Gesch. d. Untergangs*, 2, p. 84.

necessary to intrust the conduct of campaigns to one of the Masters. For such commands it seems that a Master of the Horse was usually selected.¹ From the first the Master of the Foot appears to have had the superior rank which he maintained in the West, for in many instances a Master of the Horse was promoted to this command,² and it was among the Masters of the Foot that rivals for the throne arose.³

Now these independent commands necessitated the control of both branches of the service, infantry and cavalry, being intrusted to the same Master. This naturally led, at first doubtless in popular, but ere long in official, language, to the introduction of the title *magister equitum et peditum*, which appears in the imperial constitutions as early as 349⁴ and in inscriptions after 365.⁵ A variant form of the title was *magister utriusque militiae*, which occurs in an inscription of the year 370,⁶ although it is not found in the constitutions prior to 383.⁷ A third form of the title was *magister militum*, which first appears in the address of a constitution of 349,⁸ but is not attested by inscriptions before the time of Justinian,⁹ so that until then it was perhaps not a strictly official form. From the foregoing it will be seen that the change in the character of the masterships instituted by Constantine was in full progress by 349 A.D.

The same military necessities which had led to the employment of Masters of the Horse on independent commands caused the formation of the military dioceses of Gaul, Illyricum, Thrace, and the Orient. The continual exposure of the parts of the Empire to barbaric invasions demanded the constant presence of a general with greater authority than the local *comites* and *duces* and with part of the field army

¹ E. g., Lupicinus in the Orient and the *magister equitum per Gallias*, Amm. 26, 5, 2; also Ursicinus, *id.* 15, 2.

² E. g., Ursicinus *magister equitum*, Amm. 15, 2, called to become *magister peditum ad commilitum principis*, *id.* 20, 2; cf. the instances quoted by Mommsen, *Hermes*, XXXVI, p. 534.

³ Amm. 15, 5, 17; 18, 3, 1; 27, 6, 3.

⁴ C. Th. 7, 1, 2.

⁵ CIL. 3, 10,596, 365-367 A.D.; 3, 88, 371; 3, 3653, 371; etc.

⁶ CIL. 3, 5670, of a Master elsewhere called *mag. eq. et ped.*, cf. 3, 3653 etc.

⁷ C. Th. 9, 39, 1.

⁸ *Id.* 8, 7, 3 and frequently thereafter.

⁹ CIL. 8, (101), 259, 1863, 4677, 4779, 4799, all under Justinian; 8, 4354, 578-582 A.D.; 2, 432, 589-590; 6, 32,050, 589 A.D.

at his disposal.¹ This need Theodosius recognized in his reorganization of the Masters in the East. Moreover, he made a change of far reaching importance in regard to the Master of the Foot. The army which had its headquarters in the vicinity of the eastern court was divided between two *magistri militum*, called *in praesenti* or *praesentales*.² The motive for this was perhaps fear of the power of the Master of the Foot,³ rather than the division of the emperor's court between Antioch and Constantinople.⁴ In the East from this time the command of the military forces at the capital was never concentrated in the hands of one officer,⁵ but, much to the advantage of the rulers, was divided between two officials of equal rank.

The situation in the West was far otherwise. Constantine's aim of personal control on the part of the emperor which prevailed, in part at least, in the East failed completely there. Owing to the rule of "weaklings and women" the real power fell into the hands of a *generalissimo*, who united in his person the offices of *magister equitum* and *magister peditum praesentalis*, and thus concentrated in his hands the whole military power of the Empire in the West. The first of these *Reichsverderbende Reichsretter*, as Mommsen⁶ calls them, was Abogast, placed by Theodosius I to act as general for the youthful Valentinian II.⁷ Stilicho succeeded to his position as guardian of the Empire under the nominal rule of Honorius,⁸ and from the date of his appointment in 394 until the fall of the Roman power in 476, the West

¹ The relation of the Masters to these provincial commanders and to the Prefects will be considered below.

² *N. D. or. p. 1.* *Praesentalis* is rarely found outside of the *Notitia* but occurs in *C. J.* 12, 54, 4, 425-450 A.D.; *Iohannes magister militum praesentalium id.* 12, 35, 16, 492 A.D.; *com(es) et mag(ister) eq(uitum) et p(editum) praes(entalis)* *CIL.* 5, 8121, 3; 5, 8120, 3.

³ So Mommsen, *Hermes*, XXXVI, p. 537.

⁴ Hodgkin, *Italy and her Invaders*, 1, 2, p. 613.

⁵ Indeed they seem never to have been so concentrated, except perhaps under Jovian, *Amm.* 28, 8, 9; Mommsen, *o. c.* p. 541.

⁶ *L. c.*

⁷ *Zos.* 4, 53; Philostorgius, 10, 8; Prosper, *Chronica*, a. 388. His title was *magister equitum et peditum*. Prosper, a. 392 has *magister exercitus*.

⁸ *Zos.* 4, 59. He was called *magister utriusque militiae*, *CIL.* 6, 1188-1190, 1730-1733, 31,914; 9, 4051; *C. Th.* 7, 13, 18; 20, 13; *magister equitum peditumque*, *CIL.* 6, 1730; *magister militum*, *C. Th.* 1, 7.

was hardly ever without one of these army-kings. Constantinus,¹ Castinus,² Felix,³ Aetius,⁴ Bonifacius,⁵ Ricimer⁶ and Orestes⁷ in turn, as Masters of the Soldiers, were the real rulers at Rome. During the whole of this period there seems to have been no regular coördinate or even subordinate *magister praesentalis* to divide the military command with the above mentioned Masters.⁸ This unity of military command naturally led to the abandonment of the older titles *magister equitum praesentalis* and *magister peditum praesentalis* and the adoption of the designation *magister utriusque militiae*, already officially employed in the East. The question then arises of how the arrangement given in the *Notitia Dignitatum*, where, as has been seen, the Master of the Horse and the Master of the Foot in the Presence both find a place, can be reconciled with the new development. The answer seems to be that here, as elsewhere, the *Notitia* records a system which had fallen into disuse by the time of its final composition, while theoretically the view may even then have been held that the *magister utriusque militiae* was simply uniting in his hands two offices, not as a matter of necessity from a constitutional point of view but under the pressure of special circumstances.⁹

Thus far we have considered the rise and the development of the offices of the Masters of the Soldiers and may now turn our attention to the history of the dissolution of the several masterships. Their disappearance was not due to any one administrative enactment but they variously dropped out of existence, or were transformed into, or absorbed by, other offices, at different times and under different circumstances. As far as is possible the story of the fall of each will be traced separately.

(a) *Magister Militum per Gallias*. — The official entitled *magister equitum per Gallias* in the *Notitia* had assumed, by 457, the title of

¹ Prosper, a. 412; C. Th. 7, 1, 18; 15, 14, 4; 17, 4, 34.

² Idatius, *Chronicon*, a. 422.

³ *Id.* a. 426.

⁴ Prosper, a. 429; Val. Nov. 9, 6; 17, 33; cf. Clinton, *Fasti Romani*, pp. 612 ff.

⁵ Prosper, a. 432.

⁶ *Consularia Ravennatiae*, a. 457; *Maorian. Nov.* I, 13, 458; II, 460.

⁷ Jordanes, *de rebus Gothicis*, a. 474.

⁸ Mommsen, o. c. p. 543.

⁹ Cf. Mommsen, *Hermes*, XXXVI, p. 543; Seeck, *Quaestiones ad Notitiam Dignitatum*, pp. 9 ff. The view here presented is, in the main, that of Mommsen.

comes et magister utriusque militiae per Gallias,¹ in imitation, probably, of the change of title that had been made in connection with the masterships at the Western court. The last of the Masters thus officiating for Gaul was Aegidius, who held office from 457 to 464.² He had established himself as an independent ruler and, at the time of his death in 464, was preparing to make an attack upon Italy in alliance with Gaiseric.³ It is true that about this time the title of *magister militum* was conferred by imperial authority upon some of the barbarian kings who had entered the Roman service and had received lands for their peoples in Gaul. Thus Gundioc, the Burgundian, was in 463 called *vir illustris, magister militum*, in a letter of Pope Hilary to Leontius,⁴ and a correspondent of Sidonius Apollinaris⁵ attributes the same title to another king of the same people, Chilperic. However, it is uncertain to what extent or for how long this practice of bestowing military masterships was in vogue, and these Burgundian princes appear only to have exercised their office over the districts where their followers were settled so that Aegidius may properly be regarded as the last holder of the office of *magister militum per Gallias*.

(b) *Magister Militum Praesentalis* in the West. — It has been shown how the offices of *magister peditum* and *magister equitum praesentalis* in the West came to be concentrated in the hands of one *magister militum*. This commander-in-chief on several occasions attained the imperial purple⁶ or played the rôle of king-maker.⁷ For the reign of Odovacar (476–493) we have proof of the continuance of Roman institutions and officials; among the latter Masters of the Soldiers.⁸ Under his successor Theodoric the official bureau of this Master was maintained,⁹ but the mastership is never mentioned in the *Formulae* of

¹ Priscus fr. 30, F. H. G. p. 104; Gregor. Tur., *Historia Francorum*, 2, 11; Idat. Chron. 217, 218 = Mommsen, *Chronica Minora*, 2, p. 33; Seeck, *Pauly-Wissowa*, 1, p. 476.

² *Ll. cc.*

³ *Cambridge Mediaeval History*, 1, pp. 310, 425.

⁴ *Ep.* 9, *Hilari Papae*, Migne, *Pat. Lat.* 58, p. 27.

⁵ *Ep.* 5, 6, cf. Fustel de Coulanges, *L'invasion Germanique* (ed. Jullian), pp. 452 ff.

⁶ E. g. Maiorianus, Sid. Apoll. Carm. 5, 379; Clinton, F. R. a. 457.

⁷ E. g. Ricimer and Orestes, cf. *Camb. Med. Hist.* 1, pp. 428 ff.

⁸ Anonymus Valesii, 51, 54; Chron. Rav. a. 493; Mommsen, *Neues Archiv*, XIV, p. 505, n. 3.

⁹ Cass. Var. 6, 3.

Cassiodorus.¹ Mommsen² has shown the reason for this omission in pointing out that Theodoric himself held the office of Master of the Soldiers. He had come to Italy as a Master from the East and seems to have regarded himself as always holding that office. In this respect his position is somewhat comparable to that of the Burgundian Masters mentioned in the preceding section. The Gothic successors of Theodoric probably imitated his policy with regard to this mastership.³

On the fall of the Ostrogothic Kingdom in 540, Justinian in all likelihood appointed a military commander on the old model for the new province.⁴ However, there is no evidence that this official was called *magister militum Italiae*,⁵ and, indeed, the title of *magister militum* was employed from this time in Italy to designate military officers of an inferior rank.⁶ But by the year 589 the chief representative of the Byzantine government in Italy had assumed the title of Exarch of Italy,⁷ a change which may have taken place under Justin II.⁸ This new official, the Exarch, had not only full military authority but also controlled the civil government, through the subordination of the Prefect to his orders.⁹ This centralization of authority, this combination of civil and military functions, was a return to the conditions of the Principate. The change was not a sudden one but may be characterized as a gradual usurpation of civil authority by the military official, caused by the necessity of concentrating all power in the hands of one person in the effort to cope with the military exigencies of the time, i. e., the Lombard invasion.¹⁰ In this way the old office of Master of the Soldiers disappeared in Italy and the system out of which it had grown, namely the separation of the civil and military authority, was discarded.

¹ Mommsen, *l. c.*

² *L. c.*

³ *O. c.* p. 185.

⁴ Cf. The practice in Africa and Spain; Mommsen, *l. c.*

⁵ Belisarius had no distinctive title and Narses was designated by his titles of rank alone — *vir gloriosissimus, vir excellentissimus, patricius*, — Mommsen, *l. c.*

⁶ Paulus Diaconus, 3, 8, 27; Gregorius Magnus, *Ep.* 9, 93; 13, 33; cf. Hartmann, *Camb. Med. Hist.* pp. 225, 228.

⁷ Julianus, *Ἐξαρχος Ἰταλίας*, Rossi, *Inscriptiones Christianae*, 2, p. 455. For Exarch as used by Pope Pelagius in 584 cf. Mommsen, *l. c.*

⁸ Diehl, *L'Exarchat de Ravenne*, p. 15.

⁹ Gelzer, *Themenverfassung*, p. 7.

¹⁰ Gelzer, *l. c.*; Diehl, *o. c.* pp. 1-15; Hartmann, *o. c.* 395-396.

(c) *Magister Militum Africae*. — Upon the recovery of Africa for the Romans by Belisarius in 544, that province was organized by Justinian under a Pretorian Prefect and a Master of the Soldiers, the separation between military and civil offices being thus preserved.¹ A. Müller² thinks that, because the full title *magister militum Africae* does not appear in the imperial constitution which brought into effect the organization of Justinian, no such appointment was made and that a *magister militum praesentalis* of Constantinople was in command of the troops in Africa. But that there was a *magister militum Africae* in 578–582 is certain,³ and we have no reference to a later creation of this office. Also in CIL. 8, 4677, which reads στρα[τηγοῦ] κα[ὶ] ἐπαρχοῦ τῆς Ἀφρικῆς Ζολόμ[ωνος], and dates from the reign of Justinian, the word Ἀφρικῆς seems to qualify στρατηγοῦ (*magister*) as well as ἐπαρχοῦ (*praefectus*). In the Latin inscriptions Solomon appears as *magister militum* without any qualification, but it does not follow that he was a *magister militum praesentalis* because the word *Africae* is not used, for all these inscriptions come from Africa.⁴

In Africa, as elsewhere, the Master commanded the *comitatenses* and also the *limitanei*, these latter through their duces. But in the matter of supplies, pay, and equipment, the *duces* were dependent upon the Prefect.⁵ However, although this nominal division of authority was maintained in theory, in practice it was not observed. Thus in 535 Solomon, the Master, was at the same time Prefect.⁶ In 536, Germanus, probably accompanied by a Prefect was sent out to supersede him,⁷ but three years later Solomon returned with the same powers as before, and, during the rest of Justinian's reign, the prefecture and the mastership were held by one person or else the former office was sub-

¹ C. J. 1, 27, 2.

² *Philologus*, 1912, pp. 106–107.

³ CIL. 8, 4354, A. *Vital[io] mag[nifico] et in[lustri] m[agistro] m[ilitum] Afr[ic]ae*.

⁴ CIL. 8, 101, 1863, 4677, 4799. I also think that Müller, *l. c.*, is wrong in calling Johannes and Dominicus *magistri peditum* (Procopius, *Bellum Vandalicum*, 1, 11, p. 359, Bonn, τοῖς τῶν πεζῶν ἡγεμόσι ἀπασιν ἐφειστήκει, and 2, 16, p. 482 τῷ πεζῷ στρατῷ ἐπιστήσαν). Both were infantry commanders but under the orders of Belisarius and Germanus respectively, and do not correspond to the older *magistri peditum*, long since entitled *magistri militum*. Further there is no reason to call Demetrius, στρατηγός, *id. Bellum Gothicum*, 3, 6, p. 303, *magister militum Italiae*, see above.

⁵ C. J. 1, 29, 2.

⁶ Diehl, *L'Afrique Byzantine*, p. 177.

⁷ Procop. *B. V.* p. 482.

ordinated to the latter.¹ In this way in Africa appeared the first signs of the reunion of civil and military authority.²

A Master of the Soldiers in Africa is found under Tiberius in the person of Vitalius,³ but by 591 the Exarch of Africa, with powers superior to those of the Prefect, had succeeded the Master.⁴ So the same process went on in Africa as in Italy and culminated in the appointment of a single official clothed with the highest civil and military authority. In each of these cases it was the military office that absorbed the power of the civil authority and, on account of its increased importance, received a new and higher title.

(d) *Magister Militum per Illyricum*. — In Illyricum the course of events ran somewhat differently than in Africa and Italy. Our information regarding the administration of this province during the first half of the sixth century is very scanty. However, in the seventh the Prefect functioning there appears to have assumed the duties of the Master of the Soldiers.⁵ In this case it was the civil that had absorbed the military office; but the result, the union of civil and military power in the hands of the chief official, was attained here as elsewhere. The reason for the inversion of the ordinary process is not clear. Gelzer⁶ suggests that, as Illyricum was regarded as lost to the Byzantine Empire, adequate measures for the military protection of the province were not taken by the central government, and therefore, the defence of the country devolved upon the Pretorian Prefect, who continued to govern almost independently.⁷

(e) *Magister Militum per Thracias*. — The seventh century was a period of great military activity in the East as well as in the West. The assaults of the barbarian peoples upon the northern and eastern frontiers of the Empire were incessant and forced the defenders of the older culture world to exert themselves to the utmost to maintain their

¹ Diehl, *l. c.*

² Diehl, *o. c.* p. 17.

³ *CIL*. 8, 4354, *id.* 2245 refers to Gemadius (*comes* ?) sent by Tiberius in 578 as *magister militum* to Africa. He was recalled in 580, cf. Diehl, p. 473.

⁴ Greg. Mag. *Ep.* 1, 59; Diehl, p. 473, n. 4, 474.

⁵ Gelzer, *Themenverf.* p. 41, where attention is called to the parallel offered by Egypt, in which province the civil governor, the *Augustalis*, obtained the military command with the title of *dux*.

⁶ *L. c.*

⁷ Gelzer, *l. c.*

existence. In the storm and stress of this epoch a new military organization, that of the *themes* (θέματα), developed, which put an end to the dioceses of the Masters of the Soldiers. The steps of this movement are obscure, but it is certain that it was a gradual one and that it had its beginning in the reign of Heraclius (610-641).¹ Speaking summarily, one may say that the *themes* were at first purely military districts, or perhaps rather the corps stationed in these districts,² formed by the division of the commands of the Masters of the Soldiers into smaller units.³ Under Leo the Isaurian (717-740), however, the old civil provinces and their governors were abolished, the military officials given civil authority, and their army districts raised to civil provinces.⁴

One of the new military districts thus created corresponded in general to the previous mastership in Thrace. This was the θέμα τῶν Θρακίων which was commanded by an official styled πατρικίος καὶ στρατηγός.⁵ The date of the establishment of this Thracian *theme* may be placed roughly at some time shortly before 687.⁶

(f) *Magister Militum per Orientem*. — The sphere of the Master of the Soldiers in the Orient was, according to the *de Thematibus*, broken up under Maurice (582-602).⁷ The cause of this change is said to have been the military needs arising from the invasions of a people called the Ἀγάρηνοι (Avars).⁸ What remained of the original command became the Anatolian *theme*.⁹ As in Thrace the commander of this *theme* was a πατρικίος καὶ στρατηγός.¹⁰ The organization of the new command was completed before 669.¹¹

(g) *Magister Militum per Armeniam*. — The establishment of the military Mastership of Armenia by Justinian has been noticed already. Under Maurice it grew to be a very important command,¹² but in the course of the seventh century its extent was greatly circumscribed.

¹ Gelzer, p. 9.

² Diehl, *L'Origine du Régime des Themes dans l'Empire byzantine*, p. 12; Gelzer, pp. 54 ff.

³ Constantine Porph., *de Thematibus*, I, pp. 12, 13 — 13, 3; 16, 5-13 (Bonn).

⁴ Gelzer, pp. 75 ff.

⁶ Diehl, *o. c.* p. 53.

⁵ Gelzer, *o. c.* p. 10.

⁷ Const. Por., *de Them.* 16.

⁸ *L. c.*

⁹ Gelzer, *o. c.* p. 53.

¹⁰ *Id.* p. 10.

¹¹ Diehl, *o. c.* p. 53.

¹² Theophanes, p. 175, 7-10 (Bonn); Gelzer, *o. c.* p. 20.

The major portion, however, remained as the Armenian *theme*, τὸ θέμα τῶν Ἀρμενιακῶν,¹ which received its new title before 665.²

(h) *Magistri Militum Praesentales* in the Eastern Empire. — The *magistri militum praesentales* of the East disappeared completely in the seventh century. The imperial armies of the capital and the adjacent parts of Europe and Asia were united in one command, called τὸ θεοφυλακτὸν βασιλικὸν ὀψίκιον. The officer commanding these troops was known as the κόμης τοῦ ὀψικίου. The reorganization here, as in Thrace, was completed before 687 A.D.³

It is clear that in this new military system of the Byzantine Empire the πατρίκιοι καὶ στρατηγοὶ of the seventh century were the heirs of the *magistri militum* of the sixth.⁴ Since in the period from the fourth to the seventh century the title *στρατηγός* was employed as often as that of *στρατηλάτης* for the Masters of the Soldiers in the East, if not more frequently, there was practically no change in the title of the chief military officials. However, the office of *στρατηγός* seems at this time to have conferred upon its holder the patrician dignity. The union of civil and military authority in the hands of the *στρατηγοὶ* under Leo III has been related above.

Two *magistri militum* left no successors in the later Byzantine Empire for the districts that formed their spheres of action were lost to the imperial power. These Masters were the *magister militum Dalmatiae* and the *magister militum Spaniae*.

(i) *Magister Militum Spaniae*. — There is but one notice of a *magister militum Spaniae* and that is found in an inscription of the year 589–590.⁵ Here we have mention of a Commencirolus, Master of the Soldiers in Spain, “sent by the Emperor Maurice against the barbarian foe,”⁶ who was recalled from this mastership to a command in Thrace.⁷ Now the occupation of parts of Spain by the imperial forces took place in 550, when, during a contest for the throne of the Visigoths, the weaker of the rivals appealed to Justinian who, while sending aid to the petitioner, occupied several towns and refused to

¹ Gelzer, *o. c.* p. 24.

² Diehl, *o. c.* p. 53.

³ Gelzer, *o. c.* p. 10; Diehl, *l. c.*

⁴ Diehl, *o. c.* p. 60.

⁵ *CIL.* 3, 3420.

⁶ *Id.*, *missus a Mauricio Augusto contra hostes barbaros.*

⁷ Clinton, *F. R.* 2, p. 151.

evacuate them.¹ This territory was held by the Empire until 620.² It does not seem probable that Justinian created a mastership for Spain, for, if he had done so, we should probably have some record thereof in a constitution. Therefore we may conclude that one of his successors appointed a Master of the Soldiers for Spain on the model of the Master in Africa, and that this office continued to exist until the Visigoths recovered their lost possessions.

(j) *Magister Militum Dalmatiae*. — Regarding the *magister militum Dalmatiae* our information is also very scanty. A constitution of 473 mentions a certain Nepos, *magister militum Dalmatiae*,³ and this seems to be the only evidence for the existence of the Dalmatian mastership.⁴

In 395 Dalmatia was separated from the Eastern and added to the Western half of the Empire. Up to the time of the publication of the *Notitia* this province does not seem to have had a special military commander. But about 454 a noble named Marcellianus (Μαρκέλλιος or Μαρκελλιανος, in the Greek sources), upon the death of Aetius, refused to acknowledge the authority of the emperor of the West, and ruled Dalmatia independently.⁵ A conspiracy was at one time on foot to raise him to the throne.⁶ However, Marcellianus later became reconciled with Constantinople and operated against the Vandals in Sardinia in conjunction with Heraclius, by whose treachery he met his death in 468.⁷ There is no direct evidence to show that he bore the title of *magister militum*, although that is not at all unlikely.

The nephew of Marcellianus was Julius Nepos who ascended the Western throne in 474, was deposed in 475, and retired to his estates in Dalmatia, where he was put to death in 480.⁸

¹ Isidore, *Hist. Goth.* in *Monumenta Germaniae Historiae*, II, p. 286, Athanagildus — *militum sibi auxilia ab imperatore Iustiniano poposcera, quos postea submovere a finibus regni molitus non potuit*. Carthage was one of the points occupied, *CIL.*

2, 3420.

² *Isid.*, *Hist.* 62; *Chronica*, 416 = *MGH.* II, pp. 292, 480.

³ *C. J.* 6, 61, 5.

⁴ The Nepotianus *magister militiae*, recorded by Idatius for the year 459, was apparently not a holder of this office.

⁵ Procopius, *B. V.* p. 336, 8 (Bonn); Suidas, *Lexicon* s. v. αὐτόνομος, οὐδέποτε οἱ εἰς χεῖρας λέναι πολέμαρχον.

⁶ *Sid. Apol.* I, II, 6.

⁷ *Procop. B. V.* p. 339, 20.

⁸ Marcellinus, *Chron.* a. 480.

It is a question whether this Julius Nepos is the Nepos of the constitution of 473. In the address of the constitution a variant reading gives the name as Nepotianus,¹ and the Emperor's name is also found in this form.² His Dalmatian origin is mentioned likewise.³ It has been suggested⁴ that the Nepos of the edict was the father of Julius Nepos; but, taking into consideration the date of the constitution, 473, and that of the elevation of Nepos to the purple, 474, it seems reasonable to conclude that this Julius was the *magister militum Dalmatiae*. It is probable, therefore, that the Emperor Leo came to an agreement with Marcellianus, whereby Dalmatia became a province of the Eastern half of the Empire and, in return, the chief military command there was raised to the dignity of a mastership and conferred upon a member of the powerful family which had given proof of its influence in the province. It is impossible to say how long this mastership was in existence.

The Official Rank of the *Magistri Militum*.

The rank which the Masters of the Soldiers held among the officials of the Roman Empire is now to be considered. Their position can best be judged from a review of the various titles of rank with which they were honored. These titles were the following.

(1) *Comes*. — The *magistri militum* during the fourth and early part of the fifth century seem regularly to have borne the title *comes*. It first occurs in a constitution of 349,⁵ and, although it is frequently omitted in the addresses of similar documents, the titles *virii illustres comites et magistri equitum*,⁶ *universi comites et magistri equitum et peditum*,⁷ and *comites et magistri utriusque militiae*⁸ testify to the frequency with which these Masters enjoyed this rank.

In the *Notitia Dignitatum* the Masters do not have the title *comes*, which, however, appears regularly in the inscriptions from 365-367 to

¹ C. J. 6, 61, 5 ed., Freiesleben; Clinton, F. R. p. 679.

² Theophanes, a. 456.

³ L. c.

⁴ Means, in Smith's *Dictionary of Greek and Roman Biography*, s. v. Nepos.

⁵ C. Th. 7, 1, 2, *Silvanus comes et magister equitum et peditum*.

⁶ C. J. 1, 29, 1, 386-387 A.D.

⁷ C. Th. 12, 1, 113, 386 A.D.

⁸ Id. 1, 21, 1, 393.

420.¹ But in the inscriptions of the next century this title is not found at all, and its last connection with a mastership in the West is in a constitution of Marjorian of 460 A.D.² The last eastern constitution with a similar reference dates from 441.³

The cause of this abandonment of the title *comes* was a change that was made in its employment. Except where it had become a fixed part of the title of an office, as e. g., *comes sacrarum largitionum*, in which case it was no longer a purely honorary designation, *comes* tended to be applied more and more to the lower grades of officials, and, in general, to those who were exempt from the curial *munera*.⁴ Consequently it was abandoned by the higher officials.⁵

(2) *Perfectissimus*. — At first the *magistri militum* belonged to the class of the *perfectissimi*.⁶ However, before 365 they had been admitted to the higher class of the *clarissimi*, as is clear from the inscription of Equitius dating from that time.⁷

(3) *Clarissimus*. — The clarissimate of these Masters is not attested by the Theodosian Code but, apart from the inscription of Equitius, it is proved by inscriptions of 370⁸ and 371, the latter reading *dispositione Julii(2), v(iri) c(larissimi), comitis, magistri equitum et peditum*.⁹ However, in this latter year Equitius appears as an *illustris*.¹⁰ Consequently

¹ *CIL.* 3, 10,596, *Equitio v(iro) c(larissimo), comite, magistro equitum peditumque*, 365-367; *id.* 5670, 370; Julius, 3, 88, 371; Stilicho 6, 1730, 398-399; 1731-1734, 405-408; 1188-1190, 4051, 31,914, *id.*; 5, 8120, 3, Petrus; Rossi, 1, 612 *Fl(avio) Col(n)st(antino) v(iro) c(larissimo) et inl(ustrissimo), comiti et magistro utriusque militiae*, 420 A.D.

² *Mai. Nov.* 11, *Ricimer, v(ir) inl(ustris), comes et magister utriusque militiae*.

³ *Th. Nov.* 7, 4.

⁴ However, *comes* seems to have remained in some cases in the West as a title for high military officers, for Aegidius, *magister militum* in Gaul appears as *comes utriusque militiae* for 463 A.D. in *Idat. Chron.* 218 = Mommsen, *Chronica Minora*, 2, p. 33.

⁵ Seeck in *Pauly-Wissowa*, 4, p. 636.

⁶ *Bonosus, mag(ister) mil(itum), p(erfectissimus) v(ir)*, inscribed on a brick found at Carnutum, Hirschfeld, *die Ranktittel der römischen Kaiserzeit*, *Kl. Schriften*, p. 657, n. 3. Bonosus was Master in 347, *C. Th.* 5, 6, 1.

⁷ *CIL.* 3, 10,596, quoted above.

⁸ *CIL.* 3, 5670a, also of Equitius.

⁹ *Id.* 3, 88.

¹⁰ *Id.* 3, 3653, *illustris viri, utriusque militiae magistri*.

it must have been in 371 that the *magistri militum* were raised to the *illustrissimate*.¹

A defunct *clarissimus* was spoken of as *clarissimae memoriae*, and an ex-Master is so designated in a constitution of 360,² but as he was also an ex-Consul it is not certain that he owed his *clarissimate* to his mastership. If this were so, then the *magistri militum* had become *clarissimi* before 365.

(4) *Illustris*. — We have seen that the Masters became *illustres* in 371, and as such they appear in a constitution of the following year.³ They also have this title in the *Notitia*.⁴

Frequently *illustris* was joined with *clarissimus*, which after this time was no longer used alone as a Master's title. Thus Stilicho is regularly entitled *vir clarissimus et inlustris*,⁵ and Constantinus had the same designation.⁶ This combination has been explained by referring the *clarissimus* to the inherited senatorial, and the *illustris* to the acquired official, rank.⁷

As an alternate form for *illustris*, *illustrissimus* was sometimes employed, as in the cases of Stilicho in 398–399⁸ and Sigisvuldus in 440.⁹ The former is also styled *illustris et praeclarus vir*.¹⁰

In 372 the Prefects and the Masters of the Soldiers formed a class of *illustres* of equal rank.¹¹ Upon retirement to a private station they took precedence according to the date at which they had received their appointments (*codicilli*).¹² In 485 these Masters were classed below the Prefects¹³ as they are in the *Notitia*. But another constitution of

¹ Cf. Hirschfeld, *Kl. Schriften*, pp. 651 ff.

² *C. Th.* 11, 1, 1, *clarissimae memoriae Eusebio, exconsule et exmag[is]tro equitum et pedum*. For the date cf. the edition of Mommsen and Meyer, *ad loc.*

³ *C. Th.* 6, 7, 1 = *C. J.* 12, 4, 1. Also in 386–387, *C. J.* 1, 29, 1, *viri illustres comites et magistri*.

⁴ *N. D. or.* sect. VI, *occ.* V.

⁵ *CIL.* 6, 1188–1190, 1731–1734 (405–408 A.D.), 31,914.

⁶ Rossi, 1, 612, 420 A.D.

⁷ Koch, *die Byzantinischen Beamtentitel von 400 bis 700*, p. 12.

⁸ *Flavio Stilichoni, illustrissimo viro*, *CIL.* 6, 1730.

⁹ *Val. Nov.* 9, 1, 10.

¹⁰ *CIL.* 9, 4651.

¹¹ *C. Th.* 6, 7, 1, *indiscretae dignitatis*.

¹² *Id.* This rule was especially enforced *ubi intra secretaria extraordinariosque conventus subest ratio visendi salutandive iudicis*.

¹³ *C. J.* 3, 24, 3.

Zeno (474-491) gives a first class of *illustres* composed of the Prefects and the *magistri militum*,¹ just as in 372.

It cannot be determined exactly when these Masters ceased to be styled *illustres*. In 520 a Master called Romanus still held that title² and an ex-Master appears as an *illustris* about 525.³ Further, an inscription dating from between 578 and 582, if restored correctly, reads *Vita[l]io, mag[nifico et] inl[ustri] m[agistro] m[ilitum] Africae*.⁴ However, this is the only instance of a Master having the title *illustris* after the first quarter of the sixth century, and, since in 535 they were *gloriosissimi*, it is probable that the Masters were raised above the *illustrissimate* between 520 and the latter date.

(5) *Magnificus*. — The title *magnificus*, which apparently denoted the same rank as *illustris*,⁵ was used by the Masters before the middle of the fifth century.⁶ *Magnificus* and *illustris* were sometimes combined as in the title *magister militum illustris et magnificus*,⁷ and, again, the two titles were used without distinction, as in a constitution of Theodosius,⁸ where *vir illustris magister militum* and *vir magnificus magister militum* occur indifferently. These and similar instances show that there was no real distinction in rank between the *illustres et magnifici* and the *illustres*.⁹

As *illustrissimus* was an alternate form for *illustris*, so *magnificentissimus* sometimes took the place of *magnificus*,¹⁰ and there is an example of a Master with both these designations — *inlustrissimus et magnificentissimus Fl. Dionysius, utriusque exercitus magister*.¹¹ Later,

¹ *Id.* 10, 32, 64.

² Mansi, *Historia Conciliorum*, 8, p. 498, *vir illustris Romanus magister militum*.

³ *CIL.* 3, 8120, *Fl. Theodorus Filoxenus Soterius, vir ill(ustris), com(es) domest(ico-rum), exmag(ister) per Thracias*.

⁴ *CIL.* 8, 4354.

⁵ Koch, pp. 43, 51.

⁶ *C. J.* 12, 8, 2, 440-441, *vir magnificus Germanus magister militum*.

⁷ *C. J.* 12, 59, 8, 457-467.

⁸ *Th. Nov.* 7, 4, 441.

⁹ *C. J.* 12, 59, 8, 409, *ad inlustris et magnificos viros praefectos praetorio et inlustris viros magistros militum*.

¹⁰ Koch, p. 45.

¹¹ Mansi, 4, p. 1467, 431, A.D., Koch, p. 97 doubts the genuineness of this Latin version for which the Greek is not extant.

magnificentissimus et gloriosissimus, with its Greek equivalent μεγαλοπρεπέστατος καὶ ἐνδοξότατος, becomes a fairly common title of the *magistri militum*.¹

(6) *Gloriosissimus*. — Under Justinian the title *gloriosus* or *gloriosissimus*, in Greek ἐνδοξος or ἐνδοξότατος, denotes a new and higher rank than *illustris* or *magnificus*.² We have already seen that the *magistri militum* were entitled *magnificentissimus et gloriosissimus* in the fifth century, and *gloriosus* alone appears between 514 and 523,³ but it was probably not much before 530 that the class of the *gloriosi*, consisting of the Prefects, the Master of the Offices and the Masters of the Soldiers, was officially constituted.⁴ The last instance of the application of this title to a Master dates from 628.⁵

Gloriosissimus et excellentissimus is the title given in one of the inscriptions of Solomon,⁶ *magister militum* under Justinian, but elsewhere he is merely styled *gloriosissimus*.⁷

We have thus followed the Masters of the Soldiers through the different official grades from the perfectissimate to the gloriosissimate. The institution of these different rank classes was due to the great development of officialdom in the Empire and the consequent necessity of establishing a definite order of precedence among the officials in the imperial service. With the natural tendency to admit ever increasingly wider circles of officials to the existing dignities, it became necessary to create new and more exclusive classes for the higher members of the official bureaucracy. It is for this reason, then, that we find the *magistri militum* continually advancing from the wider to the narrower classes of rank.

Apart from the above mentioned titles, which denoted definite classes in the official world, the Masters of the Soldiers enjoyed others

¹ Mansi, 5, p. 886; 6, pp. 564, 938; 7, pp. 1, 97, 127 ff., referring to Anatolius, Master in the Orient, c. 425-450, cf. *C. J.* 12, 54, 4.

² Koch, pp. 43, 65.

³ Mansi, 8, p. 483.

⁴ Cf. *C. J.* 5, 70, 7, 6, 530; *J. Nov.* 8, ed., 1, 535; *id.* 30, 536; *Just. Ed.* 8, 1, 548 A.D.

⁵ *Chron. Pasc.* p. 131 (Bonn). Koch, p. 70, has a list of the examples up to that date.

⁶ *CIL.* 8, 1863, cf. 101.

⁷ *Id.* 8, 4677, 4799, cf. *gl(oriosissimus) Mauricius mag(ister) mil(itum)*, Dessau, 9217 a, b.

that were attributed to the highest officials in general without reference to any particular rank. These titles were the following.

(1) *Excelsus*. — In a constitution of 492 a *magister militum praesentalis* is designated as *vir excelsus*,¹ and the same title is used for the *magistri militum* generally in a similar document of the time of Justinian.²

(2) *Excellentissimus*. — Under Justinian the Master of the Soldiers Solomon had the title of *excellentissimus*, — *per gloriosum Solomonem excellentis(simum) magistrum militum [exconsule bis p]raefectum pretorio*, etc.³

(3) *Eminentissimus*. — In 444 a *magister militum* bore the title of *eminentissimus*,⁴ which continued to be attributed to these Masters even in the reign of Justinian.⁵

(4) *Fortissimus*. — The Masters of the Soldiers are once designated *fortissimi*,⁶ a title peculiarly applicable to those engaged in military service and frequently employed with reference to those of lower rank.⁷ The Greek phrase was *ἀνδρεύτατοι στρατηγοί*.⁸

(5) *Sublimis*. — The *magistri militum* were called *sublimis* as early as 438.⁹ In 518 a Master was included among the *sublimes et magnifici viri*,¹⁰ and in the following year a Master's *vicarius* was styled *sublimis*.¹¹

Leontius, who in 528–529 was entitled *vir sublimissimus magister militum*, was also *expraefectus pretorio, consularis atque patricius*,¹² so that he may have owed the title of *sublimissimus* to another office than

¹ C. J. 12, 35, 18.

² Id. 4, 65, 35, *sub excelsis magistris militum*.

³ CIL. 8, 101, cf. Koch, p. 91, who thinks that perhaps this title was due to other offices than the Mastership. In view of the position of the word that is hardly probable.

⁴ C. J. 7, 51, 11.

⁵ Id. 12, 35, 17, 472; 20, 529; 1, 3, 53, 533.

⁶ J. Nov. 30, 6, 1.

⁷ Koch, p. 96.

⁸ J. Nov. l. c.

⁹ Th. Nov. 4, 7, *vir sublimis Anatolius magister utriusque militiae per Orientem*.

¹⁰ *Inter quos magister militum Vitalianus*, Mansi, 8, p. 454.

¹¹ *Candido viro sublimi vicario magistri militum*, Mansi, 8, p. 490.

¹² C. J. constitutions *haec quae necessario and summa*.

his mastership. However, it seems more natural that it should be bestowed on account of the position which he then occupied.

(6) *Parens*. — *Parens* is a form of address used by the emperors of the West towards the *magistri militum* in the constitutions of the fifth century. In 440 Sigisvuldus was addressed as *p[arens] k[arissime] a[ique] a[mantissime]*,¹ and in 445 Aetius received the same terms of honor.² In 458 Marjorian wrote *erit apud nos cum parente patricioque Ricimeri rei militaris pervigilcura*,³ at a time when Ricimer was a *magister militum*.⁴ It is probable that the peculiarly influential position of these Masters in the Western Empire was the ground for the conferment of this title.

The Master's authority (*magisteria potestas*)⁵ was itself dignified with the epithet *illustrissima*⁶ or *excelsa*.⁷ It conferred upon its holders the right to a series of substantive forms of address as complimentary as the honorary adjectival appellations of the *magistri militum*, and in most cases, their equivalents. These forms follow in alphabetical order.

(1) *Auctoritas*. — *Tua auctoritas* appears as early as 364,⁸ and continues to be used throughout the fourth century. It was sometimes qualified as *illustris*,⁹ or *insignis*,¹⁰ and even as *illustris et magnifica*.¹¹

(2) *Celsitudo*. — *Tua celsitudo* was employed in the latter half of the fifth century.¹²

(3) *Culmen*. — *Culmen tuum* appears once in the early fifth century.¹³

¹ *Val. Nov.* 6, 1.

² *Id.* 6.

³ *Maior. Nov.* 1, 13.

⁴ *V(ir) inl(ustris) com(es) et mag(ister) utr(iusque) mil(itiæ) atque patricius*, *id.* 11, 460.

⁵ Used from 398, *C. Th.* 1, 7, 3, to 534 *C. J.* 1, 27, 2; also in the *Notitia*.

⁶ *C. J.* 12, 57, 16, 491-518.

⁷ *Id.* 35, 18, 492.

⁸ *C. Th.* 7, 4, 12.

⁹ *Id.* 6, 24, 6, 395; 7, 5, 1, 399.

¹⁰ *Id.* 8, 5, 56, 396; 7, 7, 3 = *C. J.* 11, 61, 2, 398.

¹¹ *Th. Nov.* 7, 441.

¹² *Val. Nov.* 33, 451; *C. J.* 12, 35, 18, 492; 37, 16, 491-518.

¹³ *C. Th.* 1, 7, 4, 414.

(4) *Excellentia*. — *Tua excellentia* occurs in one constitution of the fourth century.¹

(5) *Gloria*. — *Tua gloria* came into use in the sixth century.² Its Greek equivalent was ἡ ὑμετέρα ἐνδοξότης, which occurs with considerable frequency.³

(6) *Magnificentia*. — *Tua magnificentia* was used during the later fourth and early fifth centuries.⁴

(7) *Magnitudo*. — *Tua magnitudo* appears in the late fourth and continues to be used in the two following centuries.⁵ It is qualified as *sublimis*,⁶ and as *illustris et praeclsa*.⁷

(8) *Praestantia*. — *Tua praestantia* occurs only in two constitutions of the early fifth century.⁸

(9) *Sinceritas*. — *Tua sinceritas* was used in the fourth century only.⁹

(10) *Sublimitas*. — *Tua sublimitas* was a common form of address used to the *magistri militum* from the end of the fourth until well on into the sixth century.¹⁰

Magister Militum as an Honorary Title.

The dignity of a military mastership could, like that of a Master of the Offices and indeed of nearly all the imperial appointments, be conferred as an honor or reward for service, without entailing the performance of any duties. This practice gave rise to the two classes of ordinary and honorary Masters.

¹ *C. Th.* 8, 1, 101, 365.

² *C. J.* 1, 27, 2, 534; *J. Nov.* 155, 533; 145, 553.

³ *Greg. Ep.* 1, 74; 2, 7, 32, 33; 9, 47, 53, 124, 159, 160, 162; 10, 10; *Mansi*, 10, p. 586, 625-638 A.D.

⁴ *C. Th.* 12, 1, 113, 368; 7, 1, 13; 391; 8, 1, 15, 415; 7, 7, 5, *id.*

⁵ *C. Th.* 16, 8, 9, 393; *C. J.* 6, 61, 5, 473; 12, 35, 15, 458; 49, 11, 485-486; 35, 18, 492; 1, 29, 5, 530; 27, 2, 534.

⁶ *C. Th.* 16, 8, 9.

⁷ *Val. Nov.* 6, 1, 440; 17, 445.

⁸ *C. Th.* 7, 17, 1, 412; 7, 1, 4, 414.

⁹ *C. Th.* 7, 1, 9, 367; 20, 11, 373.

¹⁰ *C. Th.* 1, 5, 10, 393; *C. J.* 12, 35, 3, 395-407; *C. Th.* 7, 17, 1, 412; 1, 8, 1, 415; *Th. Nov.* 7, 4, 441; *C. J.* 6, 61, 5, 473; 12, 35, 17, 474-491; 12, 35, 18, 497; 12, 37, 16, 491-518.

The ordinary *magistri militum*, called *in actu positi* or *administratores*,¹ naturally took precedence over those having merely the honorary rank, and from 382 were given the seniority over the *consulares*.² Along with the Patricians, Prefects, Consuls and Consulars, these Masters were excused by Zeno from all the obligations falling upon members of the municipal councils.³

When they had vacated their office they were called *honorati*, and ranked with the ex-Prefects according to seniority of appointment.⁴ Their regular title was then ex-Master (*exmagister*).⁵

The honorary Masters were divided into two classes, *vacantes* and *honorarii*, distinguished by the permission given to the former to wear the *cingulum*, or Master's belt of office, while the latter had only the *codicilli*, or letters patent of their rank.⁶

The *vacantes* in their turn were composed of two classes, (a) those who had earned their badge of office by service in the presence, and (b) those who had received it when on service elsewhere.⁷ The *honorarii* included two similar groups of *praesentes* and *absentes*. The *vacantes* ranked above the *honorarii*, and the *praesentes* among each above the *absentes*.⁸

The *vacantes*, however, might be intrusted with the duties of the ordinary Masters, in which case they were included among the latter; "for why," says the constitution, "should Germanus *magister militum* be called *vacans*, when we have intrusted him with a campaign against the enemy?"⁹ The *honorarii* were not so employed.

A constitution of 372 directed that those having the honorary codicils of a *magister equitum* should rank below those decorated with the insignia of the proconsulate.¹⁰

¹ C. J. 10, 32, 64; 12, 8, 2.

² C. Th. 6, 6, 1.

³ C. J. 10, 32, 64, a *curiarum nexibus vel onere*.

⁴ C. Th. 6, 7, 2 = C. J. 12, 4, 2.

⁵ C. Th. 11, 1, 1, 360; CIL. 8120, 4, c. 525.

⁶ C. J. 12, 8, 2, 440-441.

⁷ (a) *vacantes qui praesentes in comitatu illustris dignitatis cingulum meruerint*, (b) *quibus absentibus cingulum illustris militum dignitatis, l. c.*

⁸ *Id.*

⁹ *Cur enim aut vir magnificus Germanus magister militum vacans appellatur, cui bellum contra hostes mandavimus, id.*

¹⁰ C. Th. 6, 22, 4.

These honorary Masters were *illustres*, with the specific rank of *magistri militum*, and among the holders of this honorary illustrissimate they held a position corresponding to that occupied by the ordinary Masters among the *illustres* in active service.¹

The consideration of these titles of honor which the *magistri militum* enjoyed has shown that as early as 372 they were placed in the same order of rank as the highest officials of the Empire — the Prefects.² Still the prefecture was held to be the higher dignity; for, in 380, it was enacted that the retired (*privati*) Prefects who had occupied a military mastership before their prefecture should take precedence over those who had held the former office after the latter.³

The high position of these Masters is attested by the *Notitia Dignitatum* also, where they are placed immediately after the Prefects. Here we find the order of seniority among the Masters themselves. In the East this was (1) *magistri equitum et peditum praesentales duo*, (2) *magister equitum et peditum per Orientem*, (3) *magister equitum et peditum per Thracias*, and (4) *magister equitum et peditum per Illyricum*.⁴ In the West the order was (1) *magister peditum in praesenti*, (2) *magister equitum in praesenti*, and (3) *magister equitum per Gallias*.⁵

Throughout the fifth century the position of the Masters of the Soldiers relatively to the other officials remained unchanged. In the sixth century, in 537, they are found with the Prefects and the Patricians forming the order of the *gloriosissimi*.⁶ However, in Justinian's edict of 548 the Master of the Offices, then also a *gloriosissimus*, is mentioned before the *magistri militum*,⁷ which may be an indication that the former was then given a position at least as high as that of the latter, and that the process was beginning by which the Master-ship of the Offices developed into the highest order of rank in the Byzantine Empire.

We have seen that the *magistri militum* continued to hold their place in the circle of the *gloriosissimi* through the sixth into the seventh century. Thus from the time of their creation until their disappear-

¹ C. J. 12, 8, 2.

⁴ N. D. or. p. 1.

² C. Th. 6, 7, 1 = C. J. 12, 4, 1.

⁵ N. D. occ. p. 103.

³ C. Th. 6, 7, 2 = C. J. 12, 4, 2.

⁶ J. Nov. 62.

⁷ Ed. 8, 1, *gloriosissimi magistri sacrorum nostrorum officiorum sed et gloriosissimorum magistrorum militum*.

ance these Masters, as the chief military officials of the Empire, took their place in the highest order of rank with the foremost civil dignitaries.

The Military Authority of the *Magistri Militum*.

The *magistri militum*, as has been stated before, were appointed to command what may well be called the "field army" (*comitatenses*), in contrast to the "fortress troops" (*limitanei*, *riparienses*), who were quartered in permanent camps along the frontier or at other convenient points and who were under the orders of the *duces* or the *comites rei militaris*.¹ The *Notitia Dignitatum Orientalium* gives the number and the character of the troops under the command of the eastern Masters at the time of its composition,² and similarly the commands of the western Masters are given in the *Notitia Dignitatum Occidentalem*,³ where the theoretical distinction between the *magister peditum praesentalis* and the *magister equitum praesentalis* is preserved in the attribution of cavalry only to the latter and infantry only to the former. Regarding the forces of the Masters in Africa, Armenia, Dalmatia and Spain, we have no information.

But this principle of having different commanders over the field army and the fortress troops did not remain effective in practice. It is possible that during the fourth century the *duces* suffered little interference from the Masters in their control of the *limitanei*,⁴ but an inscription of 365-367 narrates that a fort in Pannonia Inferior was built under the supervision of a *dux* at the direction of a Master.⁵ This shows that the Master exercised some sort of control over the *dux*. Again, in 412, the *magister militum per Thracias* was ordered to attend to the construction and repair of the guard boats on the Moesian and Scythian frontier, although these were under the command of the local *duces*.⁶ Further, constitutions of 392⁷ and 424⁸

¹ For *comitatenses* and *limitanei* cf. Mommsen, *Hermes*, XXIV, pp. 195 ff. On these *comites* and *duces* cf. Seeck, *Pauly-Wissowa*, 4, p. 662; 5, p. 1871.

² *N. D. or.* pp. 11, 15, 19, 23, 27.

³ *Id. occ.* pp. 121, 129, 135.

⁴ Cf. Seeck, *l. c.*

⁵ *CIL.* 3, 10,569, *disponente Equitio, v(iro) c(larissimo), comite, mag(istro) equitum peditumque, curante Augustiano duce.*

⁶ *C. Th.* 7, 17, 1.

⁷ *Id.* 12, 1, 128.

⁸ *Id.* 7, 4, 36, cf. *C. J.* 1, 46, 3, *re the officia of the duces.*

directed the Masters to control the relations of the *duces* to the *curiales* and to carry out certain arrangements regarding the allowances of the *comites*. These provisions show a subordination of the *duces* and the *comites* to the Masters. Moreover, when the *magister militum* of Armenia was appointed the *duces* of the *limites* included within his command were expressly placed under his authority,¹ and upon the reorganization of Africa in 534 the *duces* there were made subject to the orders of the Master in military matters.² Accordingly the tendency seems to have been for the Masters to gain more and more control over the *duces* and thus over the *limitanei*. However, it must not be forgotten that the Master of the Offices, after 443, was in charge of the material condition of the frontier defences,³ and that the *duces* and the soldiers at their disposal were dependent upon the Pretorian Prefects for their pay and provisionment.⁴

But while the Masters thus won the command over the *limitanei*, another process was going on by which the *duces* obtained control over the *comitatenses*. A constitution of 400⁵ forbidding the *duces* to transfer soldiers from the *comitatenses* and *palatini* to the *limitanei* evidently presupposes that these officers exercised some authority, even if usurped, over the field army.⁶ However, in the *Notitia* the *comitatenses* appear directly under the command of the Masters and not under any *duces*. But finally, in 492, Anastasius placed the *comitatenses* in every respect under the *duces* of the various provinces where they were quartered.⁷ This regulation naturally brought the *duces* under the control of the *magistri militum*.

The later phases of the development thus far followed are seen in the East only. In the West, by the time of the composition of the *Notitia* (425 at the latest), a unification of control had already taken place which has no parallel in the East. The western *magister peditum praesentalis* had acquired a power greatly superior to that of the *magister equitum praesentalis* or of the eastern *magistri praesentales*. This extraordinary power consisted in the command over the *duces*

¹ C. J. 1, 29, 5.

² Id. 1, 27, 2.

³ Th. Nov. 24, 1, 5; C. J. 1, 31, 4.

⁴ Cf. C. J. 1, 27, 2.

⁵ C. Th. 7, 1, 18.

⁶ Seeck suggests that this control may have been a temporary arrangement, *Pauly-Wissowa*, 5, p. 1872.

⁷ C. J. 2, 35, 18; cf. Seeck, *l. c.*

and the *comites rei militaris* of the western half of the Empire. Six *comites* and ten *duces* were thus under his orders.¹ This officer had also the right to appoint many subordinate officers, as the prefects of the fleet, of the regular imperial troops and of the barbarian auxiliaries, the tribunes of the cohorts and a prefect of a legion.² Further, as the *comitatenses* in Gaul are not said to have been under the disposition (*sub dispositione*) of the Master of the Horse in Gaul, but merely to have been attached to his command (*cum magistro*),³ Mommsen⁴ maintains that they were really under the command of the Master of the Foot in the Presence, and also suggests that the Master in Gaul was his appointee.⁵ His first theory is probably correct, and the second may well have been true in many cases, owing to the extraordinary position assumed by the Masters at Rome, but was not held to have been an acknowledged right or it would have been mentioned in the *Notitia*.

This subordination of the *comites* and the *duces*, with the troops at their orders, to the military authority of the Masters, which was brought about, although in different ways, in both parts of the Empire, may be regarded as an acknowledgment of the inefficiency of the system of Constantine, with its division of authority, to cope with the military necessities of the time and to maintain the requisite discipline in the army.

An inscription has been quoted already to show that a Master had the right to advise the erection of a fort.⁶ And from numerous others we see that the building of fortified posts (*castella*, *burgi*),⁷ and the restoration and fortifying of cities,⁸ with regard to the military situation, fell under the direction of the *magistri militum*.⁹

¹ These were the *comites* of Italia, Africa, Tignitania, Tractua Argentoratensis, Britannia, and Litus Saxonicum per Britannias; and the *duces* of Mauretania Caesarensis, Tripolitania, Pannonia Secunda, Valeria Ripensis, Pannonia Prima and Noricum Ripense, Rhaetia Prima and Secunda, Belgica Secunda, Germania Prima, Britannia and Mogontiacensis.

² *N. D. occ. p.* 215, *praefecti classis, militum, laetorum, gentilium, tribuni cohortum, praefectus legionis*.

³ *Id. p.* 135.

⁶ *CIL.* 3, 10,596.

⁴ *Hermes*, XXXVI, p. 539.

⁷ *CIL.* 3, 88, 3653; 8, 4358, 4677, 4799.

⁵ *Hermes*, XXXIV, p. 264.

⁸ *CIL.* 2, 3420; 8, 101.

⁹ In *CIL.* 3, 5678 a Pretorian Prefect directs the building of a *burgus*, but this is exceptional.

In addition to the imperial troops mentioned above, the Masters of the Soldiers had at their disposal private corps which, although at first of no great importance, finally played a very considerable part in the military history of the Later Empire.

These private forces were composed of two classes of troops — *foederati* and *δορυφόροι καὶ ὑπασπισταί*. The *foederati* were troops raised by the various Masters who hired the services of these soldiers to the state which bore the cost of their maintenance. The *δορυφόροι* and *ὑπασπισταί* on the other hand, had an even more personal character, being recruited by the Master, maintained at his own expense, and reckoned as forming part of his household, although taking an oath of loyalty to the emperor. The *δορυφόροι* were officers and formed the bodyguard of their general, while the *ὑπασπισταί* were ordinary cavalry soldiers. These private forces (*comitatus*) had assumed formidable dimensions by the time of Justinian, Belisarius having 7000 men of this sort in his employ¹ and Valerius, a Master in Armenia, over 1000.²

The Judicial Powers and Privileges of the *Magistri Militum*.

The *magistri militum*, as well as the *comites rei militaris*³ and the *duces*,⁴ were military judges (*judices militares*). The jurisdiction of their courts, in common with that of the other military tribunals, was strictly limited to persons in the military service (*virī militares*).⁵ This jurisdiction not only extended over cases of breach of discipline or legal actions between soldiers (*inter milites*) but embraced all civil and criminal processes brought against such persons.⁶ In fact a soldier could not be prosecuted before any other judge, or condemned to punishment by him.⁷ Thus, if a soldier, when in one of the provinces, committed a public offence, the provincial governor was directed to keep

¹ Procop. *B. G.* 1, pp. 282–283 (Bonn).

² *Id.* 2, 27, p. 391. On these personal troops cf. Benjamin, *Quaestiones de re militari*, and Müller, *das Heer Justinians*, *Philologus*, 1912, pp. 114–120. Of course other officers than the Masters raised such corps. The latter were called *bucellarii* also, Seeck, *Pauly-Wissowa*, 3, p. 936.

³ *C. J.* 1, 36, 2, 416.

⁴ *Id.* 7, 62, 529.

⁵ *Id.* 1, 36, 2.

⁶ *C. J.* 3, 13, 6, 443; 12, 35 (36), 18, 492.

⁷ *Id.* 3, 13, 6.

him in custody and report on his offence and his status to the Master of the military diocese in which the province was, but not to try the case himself.¹

As the jurisdiction of the *magistri militum* extended over all *virii militares*, and since all who obtained a position in the offices of these Masters were reckoned as soldiers (*ordinis militaris*),² these latter also fell under the judicial authority of the Masters' courts.³ However, that the number of persons enjoying this privilege might not become too great, Theodosius enacted that only 300 employees (*apparitores*) in the office of each of the Masters should be excused from appearing in the court of the Pretorian or Urban Prefect without the consent of the Master.⁴ These 300 were called *apparitores statuti*.⁵ But the Masters did not limit the members of their offices to this number and Zeno had to enact that others than the *statuti* serving in these offices should be subject to the civil judges.⁶ Later Anastasius was obliged to call into force again Theodosius' restriction of their numbers to 300 and to declare that those in excess of this limit could on any charge be brought before the Pretorian Prefects or the provincial governors.⁷

Further, if any member of the office of a Master had deserted the ranks of the *curiales* and these, through the provincial governor, sought to recover him, a constitution of 412 authorized the investigation and decision of the case to be made by this officer who, however, was obliged to give notice of the charge to the Master.⁸ Later, Theodosius made a more elaborate provision for the handling of such cases. In 441 he enacted that whenever *apparitores* of a Master's office were claimed as *curiales* or *coloni* (*censibus adscripti*) the case was to be brought before the court of the Master and also before that of the Pretorian Prefect. If the case originated in the Master's court and he failed to report it within four months to the Prefect or provincial governor, then the Prefect could conduct it himself or delegate it to the civil judge. If the case originated before the Prefect he had a like obligation to bring it to the notice of the Master. Then these two

¹ *Id.* 9, 3, 1, 365.

² *Id.* 12, 54, 2, Valentinian and Valens.

³ *C. J.* 1, 29, 2, 414; *Th. Nov.* 7, 444; *C. J.* 12, 54, 5, 491-518.

⁴ *Th. Nov.* 7, 441.

⁷ *Id.* 12, 54, 5, 491-518.

⁵ *C. J.* 1, 29, 2, 414.

⁸ *C. Th.* 12, 1, 175, 412.

⁶ *Id.* 1, 29, 3, 476-485.

officials, acting in common, were to reach a decision within three months. If such a claim was brought before the provincial governor, the latter was to report it to the Prefect and the Master, and then to act as the law provided, i. e., try the case as prescribed in the constitution of 412. When an *apparitor* had been so tried and an appeal had been granted from the decision, then the case was to be tried anew by the Master and the Prefect together, even if the former had previously delegated it to a provincial governor.¹

The jurisdiction of the Masters over the *comites rei militaris* and the *duces* is implied in a constitution of 393,² which decided that, although the governor (*corrector*) of the province of Augustamnica had brought contumely upon the *dux* of the same province and deserved condemnation therefor, nevertheless, the Master was not to usurp the conduct of the case on the ground that the injured party was a *vir militaris*. The general rule for such cases was that the Prefect had the right to try cases brought against civil governors even when the plaintiff belonged to the military class.³ In the West, since the *comites* and *duces* were under the orders of the *magister peditum praesentalis* early in the fifth century, it is probable that from that time they were subject to his judicial authority also. When in 492 the *duces* were placed over the troops of the field army in the Orient (the *praesentiales numeri*) they were under the command of the *magistri praesentiales* and subject to their jurisdiction.⁴ The courts of these *duces* were subordinated to those of the Masters in the Presence, each of whom sent out an officer, called *ad responsum*, with assistants (*adiutores*) to advise the *duces* in legal matters.⁵ It was forbidden for any one to enter suit against a *praesentalis* both in the court of a *dux* and of a Master in the Presence, or for the same man to be prosecuted at the one time on a civil charge in one, and on a criminal charge in the other, court. However, the Emperor Leo enacted that the *duces*, their *apparitores*, the *limitanei* and the *castrorum praepositi* should be subject to the jurisdiction of the Master of the Offices alone, with an indefinite reservation of the power of the *magistri militum* sanctioned by use and wont in regard to the

¹ *Th. Nov.* 7, 441.

² *C. Th.* 1, 7, 2.

³ *De ordinario iudice semper inlustris est cognitio praefecturae; licet militari viro ab eo facta sit iniuria.* *C. Th.* 1, 5, 10 = *C. J.* 1, 26, 4, 393.

⁴ *C. J.* 12, 35 (36), 18.

⁵ *Id.*

limites of the Orient, Thrace and Illyricum.¹ This would seem to indicate that the Masters had acquired a certain judicial authority over the *duces*.² But Justinian followed in the footsteps of Leo in ordering that an appeal coming from the court of a *dux* (*ducianum iudicium*), even if one having the rank of a Master or consul were the temporary judge (*magisteriae potestatis nec non consularis*), should be received in the *scrinium epistularum* and laid before the Master of the Offices and the Quaestor in common.³

Therefore, in the East the *magistri militum* seem to have had jurisdiction over the *duces* and *comites rei militaris* in so far as the latter were under the direct military authority of the Masters, being in command of the troops of the field army in their respective provinces. They do not, however, appear to have had the same power, except by usurpation, over the *duces* as commanders of the *limitanei*, as the *limites* were supervised by the Master of the Offices,⁴ who had judicial competence over their commanders. Further, a tendency on the part of the Masters to inroach upon the civil jurisdiction is noticeable in connection with the *apparitores* to whom the Masters gave the benefits of their courts even when they were in excess of the prescribed number. Also the attempts on the part of the *curiales* and *coloni* to enter the service of these military officials is a testimony to the desire of these classes to escape from their burdens as well as to the protection that the military classes enjoyed against the oppression of the fiscal authorities.

From the court of the *magistri militum*, as from those of all other officials, appeal could be made to the emperor.⁵ The Masters might also refer cases to the emperor for his decision.⁶

Prosecutions brought against the *magistri militum* were regulated by the law of Anastasius in regard to procedure against *illustres* of similar rank.⁷ The substance of this law is as follows. A distinction was made between those who had actually served as masters and those who had only received the honorary title as *vacantes* or *honorarii*. The former in public and private suits were under the jurisdiction of the emperor in person, or the *cognitor* appointed to represent him

¹ C. J. 12, 59 (60), 8.

² C. J. 7, 62, 38, 529.

³ Cf. Karlowa, R. R. 1, p. 862.

⁴ Th. Nov. 24, 1, 5; C. J. 1, 31, 4.

⁵ C. Th. 11, 30, 30, 362, expanded in C. J. 7, 67, 2.

⁶ C. J. 6, 61, 5, 473.

⁷ C. J. 3, 24, 3, 485-486 (?).

in the case under examination. The *vacantes* and *honorarii* had to appear before the regular civil judges.

The investigation by the *cognitor* was conducted in the same manner as the imperial inquest,¹ and the necessary secretaries and clerks were furnished by the *scrinium libellorum*, and not by the *officium* or *schola* of any high officer. The reason for these regulations was probably that the *cognitor* was acting *vice imperatoris* and nothing was to be done in a way that would suggest that any official other than the emperor himself had judicial competence over these Masters. Accordingly the Masters were allowed to sit in any part of the court room (*secretarium*) they chose, provided that it was lower than the place of the judge and higher than that of their accusers, until the charge against them had been proven.² Even when the charge was proven the *cognitor* could not deliver sentence but had to refer the matter to the emperor for his decision.³ If the prosecution failed, the accuser had to undergo the punishment for *contumelia* in accordance with the regular statutes, unless he were of equal rank with the defendant. In this case the matter was in the hands of the emperor.

Regarding the *vacantes* and *honorarii* the law distinguished between those resident in Constantinople and those living in the provinces.

The former, in criminal cases, appeared before the Pretorian or Urban Prefect, or, in special circumstances, before the Master of the Offices. They had not the privilege of remaining seated during the trial. However, these judges were also incompetent to render a decision when the accusation had been proven, unless the question had first been referred to the emperor.

But in criminal suits brought against the honorary Masters in the provinces, the latter had the right to be seated in the court. The judges of such suits are not specified but seem to have been the ordinary provincial authorities. Judgment was given in these cases in accordance with the reply (*responsum*) made by the emperor to a report (*relatio*) informing him of the results of the trial. The punishment of unsuccessful accusers for calumny only rested with the provincial

¹ *More atque habitu sacrorum consultationum, absque nulla videlicet observatione dierum fatalium, id.*

² *Quae iudicibus inferior, altercantibus vero superior, videatur, id.*

³ *Ultionis autem tantis inferendae dignitatibus non nisi in principis residebit arbitrio, id.*

judges when the former were of similar rank with, or lower than, themselves.

These regulations only covered criminal cases. In civil suits, therefore, the *vacantes* and *honorarii*, unlike the *administratores*, were subject in all respects to the ordinary tribunals.

The Further Competence of the *Magistri Militum*.

As a result of their command over the army the *magistri militum* acquired an extensive field of action in matters concerning the condition of the troops in general and the relations between the soldiers and ordinary citizens (*provinciales*). Upon these points the constitutions issued to the Masters give much information.

The recruitment of soldiers was subject to the supervision of the Masters,¹ but a constitution of Zeno directed that, while the Masters were to announce the number of recruits necessary, they should enroll none but those having the imperial *probatoria*.² The penalty for the violation of this order was fixed at one hundred pounds of gold.

Also questions relating to veterans,³ promotion,⁴ the inheritances of soldiers dying intestate,⁵ the abuse of *commeatus*⁶ and *hospitium*,⁷ the restraining of soldiers from occupying public lands,⁸ from engaging in private business,⁹ their general relations with the provincials,¹⁰ and the relations of the *tribuni*, *duces* and *comites* to the *curiales*,¹¹ were settled by the authority of the *magistri militum*.

For the maintenance of the troops the Masters were dependent upon the Prefects, in accordance with the general scheme for the division of civil and military authority and the limitation of the power of important officials.¹² However, the Masters exercised a superintendence over the distribution of the allowances furnished by the civil authorities,¹³

¹ *C. Th.* 7, 1, 8; *C. J.* 11, 68, 3; 12, 33, 3.

² *C. J.* 12, 35, 17. The allotment of the obligation to furnish recruits was in the hands of the civil authorities.

³ *C. Th.* 7, 28, 9, 11, 12.

⁴ *Id.* 7, 1, 7.

⁵ *Id.* 5, 6, 1.

⁶ *Id.* 7, 1, 12.

⁷ *Id.* 7, 9, 3.

⁸ *Id.* 2, 31, 1.

⁹ *Id.* 1, 21, 1; *C. J.* 4, 65, 31; 12, 35, 15.

¹⁰ *C. Th.* 3, 14, 1; 7, 7, 3.

¹¹ *Id.* 12, 1, 128.

¹² *Zos.* 2, 33, 5.

¹³ *C. Th.* 7, 1, 11; *C. J.* 12, 37, 16.

and, to keep a check upon peculation, the account books with the record of this allotment were subject to the supervision of the *principes* in the offices of the Masters.¹ The distribution of the *annona* in the form of money, instead of in kind, to such officers as so desired it, came likewise under the cognizance of the *magistri militum*.²

For some time prior to 415 these Masters, together with the Master of the Offices, had exercised, perhaps by usurpation, the right of appointment to the *praepositurae minoris laterculi*.³ In that year, however, the previous system was re-established to a certain degree, and the nomination to forty of these posts was recovered for the Quaestor.⁴ Apparently this arrangement still left some of these appointments in the hands of the Masters.

Originally the authority of the *magistri militum* was confined to the *virī militares* alone, while the Prefects exercised full authority over the *provinciales*.⁵ But the constitutions of the fifth century contain directions for the Masters in the West regarding such matters as the enforcement of the papal authority on the Gallic bishops,⁶ the ecclesiastical courts⁷ and the selling of children by their parents.⁸ And in the next century in the East, besides constitutions regulating the military organization of Africa,⁹ and defining the authority of the *dux* of Lycia and Lycaonia,¹⁰ an edict dealing with an ordinary civil suit was addressed to a *magister militum*.¹¹ Thus we see that everywhere the military authority tended to encroach upon the civil, a tendency which has been seen more clearly in the province of Africa, where the Master was regularly at the same time Prefect, or, if not, was at least the superior official.¹²

However, Justinian decided that in matters pertaining to taxation the Proconsul of Cappadocia should have authority over the subordinates of the *magister militum*,¹³ with the apparent intention of keeping all matters of a fiscal nature out of the hands of the military authorities.

¹ C. J. 12, 37, 9.

² C. Th. 7, 4, 36.

³ *Praepositi, tribuni, praefecti*.

⁴ C. Th. 1, 6, 1.

⁵ C. J. 1, 29.

⁶ Diehl, *L'Afrique Byzantine*, pp. 117, 122, 471, 472; cf. *magister militum Africae*.

¹³ J. Nov. 30, 6, 1.

⁶ Val. Nov. 17.

⁷ *Maiores Nov. 11, de episcopali iudicio*.

⁸ Val. Nov. 33.

⁹ C. J. 1, 27, 2.

¹⁰ J. Nov. 145.

¹¹ *Id.* 55.

The Bureaus of the *Magistri Militum*.

The bureaus or offices (*officia*) of the *magistri militum* as constituted in the early fifth century are given in the *Notitia Dignitatum*. The general composition of all the bureaus was the same, although there were slight differences in the number, names, and method of appointment of the subordinates in the several offices.

Regarding the offices of the *magister militum praesentalis* I in the Orient, of the *magister per Thracias*, and of the *magister per Illyricum*, the *Notitia* says that the *officiales* serving in these bureaus were selected from the ranks of the soldiers, retained their military status and only acted in the bureaus as long as required.¹

The members of the offices of the remaining two Masters in the Orient, the *magister militum praesentalis* II and the *magister per Orientem*, on the contrary, are said to have not been recruited from among the regular soldiers but to have been associated permanently with the person of their Master and not enrolled in any of the corps of troops on active service.²

The reason for this distinction in the composition of the offices is not clear, nor is anything said on this point regarding the offices of the Masters in the West. There, however, as will be seen, the office of the *magister equitum per Gallias* was partly manned by appointees of the *magistri in praesenti*. In the East the Masters in the Presence did not enjoy any such privilege with respect to the other Masters.

The offices were composed of the following members.

(a) *Princeps*. — At the head of each bureau was a *princeps*, in whose hands was the general supervision of the office. He held the list of the members of the bureau, had the right to grant them leave of absence, received a share of the fees paid to the office, executed in person the important orders of the Master, and, in addition to official

¹ *Officium autem superscriptae magisteriae in numeris militat et in officio deputatur, N. D. or. pp. 14, 26, 30.*

² *Officium autem superscriptae magisteriae potestatis cardinale habetur, N. D. or. pp. 18, 22.*

Gothofredus on *C. Th.* 12, 6, 7, explaining *cardo* by *κέρπος*, *quod fixum et immobile est*, writes — *igitur cardinale officium hic quod fixum et immotum in cardine suo, magistro militum, inquam, non vero per nummos militares quomodo tria illa magistrorum militum officia.* Cf. Böcking, *N. D.* 1, p. 205.

assistants (*adiutores*), had the right to employ private ones (*domestici*) himself.¹

It is specifically mentioned that the account books recording the distribution of allowances to the soldiers and prepared by the officers of the Prefects were checked by these *principes*.²

In the office of the *magister equitum per Gallias* the *princeps* was an annual appointee, deputed alternately from the bureau of the *magister peditum praesentalis* and that of the *magister equitum praesentalis*.³ Thus the office of the Master in Gaul was really under the control of the Masters in the Presence and a powerful check was placed upon the activities of the former, and an apparent centralization of the military command was maintained in this way.

(b) *Numerarii*. — Next to the *princeps* came two *numerarii* or accountants in the offices of the East and in Gaul, but only one in those of the *magistri praesentales* of the West.⁴ Of the accountants in the office of the Master in Gaul one was deputed from each of the offices of the Masters in the Presence.⁵ The policy here was the same as that governing the appointment of the *princeps*. The duty of the *numerarii* was to keep the accounts of the office. Zeno, upon being petitioned by the offices, fixed the term of service (*actus*) of these accountants at one, in place of two, years.⁶

(c) *Commentariensis*. — A third official was the *commentariensis* or recorder.⁷ This clerk had charge of the records of the bureau, especially of those referring to matters of criminal jurisdiction.⁸

(d) *Adiutor*. — After the recorder there appears, in the offices of the western Masters and in that of the Master in the Orient, an *adiutor*. The other bureaux lack this member. The *adiutor* was the assistant of the *princeps* and shared his duties.

¹ Lécivain, *Daremberg et Saglio*, 4, pp. 155-159, chiefly inferred from what is known of the *principes* of the offices of other officials.

² *C. J.* 12, 37, 9, 398.

³ *N. D. occ.* p. 137, *ex officiis magistrorum militum praesentalium, uno anno a parte peditum, alio a parte equitum*.

⁴ *N. D. occ.* pp. 115, 128.

⁵ *Id.* p. 137.

⁶ *C. J.* 12, 49, 11.

⁷ In the office of the Master in Gaul he ranks above the *numerarii*, *N. D. occ.* p. 137.

⁸ Lécivain, *Daremberg et Saglio*, 4, p. 157.

(e) *Primi Scrinii*. — The Masters in the Presence in the Orient and the Masters in Thrace and Illyricum had in their offices clerks called *primi scrinii*. These were the heads of the departments or *scrinia*, into which the subordinates of the offices were divided for the more efficient handling of the business of the bureaus.¹ At the end of their service these *primi scrinii* might be promoted to the rank of *numerarii*.²

(f) *Scrinarii*. — All the eastern, but none of the western offices had *scrinarii*. These were the clerks organized in the *scrinia* under the *primi scrinii*.

(g) *Mensores*. — *Mensores* appear only in the office of the Master in the Orient. They seem to have acted as quartermasters, whose duties were in connection with the marking out of sites for encampments.³ Perhaps "surveyors" would be an adequate translation of their title.

(h) *Regerendarius*. — The western offices were equipped with officials known as *regerendarii*. There was one in each office, ranking next to the *adiutor*. The *regerendarii* apparently had charge of the despatch and delivery of documents by means of the state post (*cursus publicus*).⁴

(i) *Exceptores*. — All the offices had *exceptores* who were the clerks who wrote documents from dictation.

(j) *Ceteri Apparitores*. — Likewise each office had other *apparitores*, as the members of these bureaus were generally called.⁵ Their special functions, if they had such, are not defined. Mention is made elsewhere⁶ of *chartularii* of a Master, who must have been included among the *apparitores*.

It has been pointed out that in some of the bureaus of the Masters the members were deputed for this clerical service from the ranks of the

¹ Lécivain, *o. c.* p. 158.

² *Primi scrinii qui numerarii fiunt*, *N. D. or. passim*.

³ The imperial *mentores* had the duty of quartering the imperial suite, *C. Th.* 7, 8, 4, 393.

⁴ Cf. *regerendarius* in *Daremberg et Saglio*, 4, p. 817.

⁵ Cf. *C. J.* 12, 54, *de apparitoribus magistrorum militum et privilegiis eorum*.

⁶ *C. Th.* 8, 7, 5, 354. Their duties are not certain although they seem to have had something to do with the *annona* and with the lists of the soldiers on active service, Seeck, *Pauly-Wissowa*, 3, p. 2193.

regular soldiery and that in others they were recruited elsewhere. Naturally those drawn from the active units belonged to the military class, but at one time the others were not included in the *ordo militaris*.¹ However, in 441, Valentinian III decided that all who obtained service in the offices of the Masters became, *ipso facto, viri militares*.² Their names were put on the roll (*matricula*) of the office and this constituted their enrolment in the *ordo militaris*.³

Curiales, *cohortales*, and *censibus adscripti* were excluded from the *apparitores*. As we have seen, a special form of enquiry was provided under the joint authority of the Prefects and the Masters to consider the cases of those who had joined a Master's office and were denounced as belonging to these classes.⁴ However, if a *curialis* had served as a *chartularius* for twenty-five years, he could claim the privilege of the military class (*privilegium militiae*), and all *chartularii* who had, at any time or on any ground, received a sanction of their presence in the offices (*probati quacunque ratione vel quocunque tempore*), were entitled to continue in the service. A special provision was made in this connection for *ministeriales*, *paedagogiani* and *silentarii*,⁵ for whom fifteen years of service annulled all former obligations.⁶

Since the members of these offices from 441 were included in the *ordo militaris*, they could claim the privilege of the jurisdiction of the *magistri militum*. But it has been seen that the number of those entitled to enjoy this right was limited to 300, the so-called *statuti*, while the rest were under the jurisdiction of the civil judges,⁷ and Anastasius ordered that the *scriniarii* or *apparitores*, although enrolled in the offices of the Masters, could not make use of the *ius militare* in the matter of wills.⁸

¹ This is implied clearly by *C. Th.* 12, 6, 6, 365, *his, qui in officio magistrorum equitum et peditum militarunt, si quidem ordinis sint militaris*. *C. J.* 12, 52, 2 has altered *sint* to *sortiti sint*.

² *C. J.* 12, 53, 2.

³ *Id.* 6, 21, 16.

⁴ *Th. Nov.* 7, 4, 441.

⁵ *Ministeriales* and *paedagogiani* were subordinates of the *castrensis*, *C. Th.* 8, 7, 5. *Silentarii* were court chamberlains, *C. J.* 12, 16.

⁶ *C. Th.* 8, 7, 5, 354.

⁷ *Th. Nov.* 7, 4; *C. J.* 1, 29, 3; 12, 54, 5.

⁸ *C. J.* 6, 21, 16. The privilege of making a military testament was limited by *C. J.* 6, 21, 17, *his solis qui in expeditionibus occupati sunt*.

The *officiales* were excused from the duty of acting as *suscriptores*, i. e., from being deputed to collect the *annona* for the support of the troops in the various provinces.¹ In 354 a constitution restricted the right of *adoratio* to those members of the offices who had actually served under arms and accompanied their detachments on active service.²

The regular soldiers (*numerarii*) in the offices of the Masters were placed on an equal footing with the *tribuni praetoriani*, so that, after the completion of their service, they enjoyed immunity from all extraordinary requisitions at the hands of civil or military governors.³ Those who were *principes* ranked with the military tribunes of the watch (*tribuni militares vigilum*).⁴ In common with the members of other offices, those in the service of the *magistri militum* were at times given the honorary rank of *ex protectoribus* by an imperial rescript.⁵

In the West the *comites rei militaris* and the *duces* of the several provinces received, as did the Master in Gaul, the *principes* and *numerarii* of their respective offices from the bureaux of the Masters in the Presence.⁶ Further, it was a general rule in the West that the officials so detailed from the central offices were sent in equal numbers or in alternate years from the bureaux of the *magister peditum praesentalis* and of the *magister equitum praesentalis*. In some cases however, they were despatched from the former office only.

Thus the *comites* of Africa, Tignitania, Mauretania and Britain, with the *duces* of Raetia, Tractus Amoricus and Britain, received their *principes* from the Masters in the Presence alternately, their *commentariensis* in a similar manner and one of their two *numerarii* from each of the central offices.⁷ The *duces* of Tripolitana, Pannonia Secunda, Valeria and Pannonia Prima received their *principes* in the

¹ C. Th. 8, 31 = C. J. 12, 54, 1; C. Th. 12, 6, 6, = C. J. 12, 54, 2.

² C. Th. 8, 7, 4.

⁴ Id.

³ C. J. 12, 54, 4, 441.

⁵ C. Th. 8, 7, 3, 349.

⁶ C. Th. 1, 3, 7. In the East these *principes* were deputed from the *schola* of the *agentes in rebus*, cf. N. D. or. passim.

⁷ N. D. occ. pp. 175, 178, 183, 185, 201, 205, 212. In the case of the *dux Tractus Amoricani* there appears but one *numerarius*, *a parte peditum uno anno*. Böcking, in his edition, completes — *altero a parte equitum*; while Seeck reads *omni anno*. The latter, under the *dux Britanniae*, reads *duo numerarii ex utrisque officiis omni anno*.

same way as the officers just mentioned, but nothing is said about their other clerks.¹ The *dux Mogontiacius* had his *princeps* appointed as the former, but his *numerarius* and *commentariensis* were always delegated from the office of the *magister peditum*.² Finally, the *comes Litoris Saxonii* received all his *officiales* from the bureau of the latter Master only.³

The effect of this arrangement was the subordination of the offices of the *duces* and the *comites* in the West to the *magistri praesentales*, who in this way controlled to a certain extent the actions of the *comites* and *duces* themselves. Naturally, when there was only one *magister praesentalis*, as was the case in the fifth century, all the appointments issued from his office only. This system of nominating the staff of the provincial commanders was in harmony with the method of their own appointment through the *magister peditum praesentalis*. On the contrary, in the East the Master of the Offices controlled the appointment of the *principes* of the *duces* and *comites*⁴ and thus supervised the working of their offices.

The *Domestici* of the *Magistri Militum*.

In addition to these assistants who have just been considered the *magistri militum* had in their employ *domestici*. These *domestici* were not given a place in the offices nor do they appear in the *Notitia*, although they are frequently referred to in the Codes. The reason for this may be that the *domestici*, being appointed at the pleasure of their Masters, were regarded theoretically as holding no official position but as acting in an entirely personal relation to the officials who employed them.⁵ These *domestici* are recorded by Ammianus for as early as 355.⁶

Whatever the theory regarding his position may have been, in practice the *domesticus* took an active share in the administration of a *magister militum* and enjoyed in a high degree his confidence and esteem. He was regarded as being a sharer in the secret councils of

¹ *Id.* pp. 187, 191, 195. Seeck suggests that the remaining *officiales* were appointed in similar manner.

² *Id.* p. 214.

³ *Id.* p. 181.

⁴ Cf. *N. D. or. passim*.

⁵ Seeck, *Pauly-Wissowa*, 5, pp. 1296 ff. Cf. *C. J.* 1, 51, 4, 404.

⁶ 15, 6, 1.

his Master,¹ and Heraclianus married his daughter to his *domesticus*.² The *magister militum* Sarus revolted against Honorius because the emperor did not exact punishment for the murder of Belleridus, the Master's *domesticus*.³

These *domestici* also handled the receipts of the Masters' offices,⁴ and were concerned with the distribution of the *annona*.⁵ In fact the *domestici* sometimes directed the general conduct of the office of their patrons and were also given independent commands.⁶ However, this increase of power on the part of the *domestici* is a later development in the Orient and does not appear in the West.

The *domesticus* was thus rather a member of the retinue (*oikla*) than of the bureau of the Master.⁷ His authority was derived from the Master himself and not through imperial appointment but owing to his proximity to the Master's person he naturally assumed a more and more official position and obtained formal recognition of the actual power that he exercised.

Privileges of the *Magistri Militum*.

The *magistri militum* in the East had the right to issue a limited number of *evectiones*, or passes, entitling the bearer to use the state post (*cursus publicus*). The two Masters in the Presence and those in Thrace and Illyricum were restricted to fifteen for each year, but the Master in the Orient was allowed twenty-five.⁸ The *Notitia* does not record this privilege for the Masters in the West, although it would be strange if they did not enjoy it.

¹ Amm. 15, 6, 1; Procop. *B. V.*, p. 326 (Bonn), ὁ δὲ ἀπορρήτων Ἀσπαρ ἔφη κοινωνὸς εἶναι (δομestikὸν δὲ τοῦτον καλοῦσι τῇ σφετέρᾳ γλώσσᾳ Ῥωμαῖοι).

² Orosius, I, 42, 11.

³ Olympiodorus, fr. 17 in *FHG.* 4, p. 61, ἦν δὲ ἀποστάς Ὁνορίου ἐπὶ Βελλερίδου, ὃς ἦν αὐτῷ δομestikός, ἀναιρεθὲντος, οὐδέτις λόγος τῷ βασιλεῖ τῆς ἀναιρέσεως οὐδὲ τοῦ φόνου γίνεται εἰσπραξίς.

⁴ Malchus, fr. 16 in *FHG.* 4, p. 123, a. 479, τοὺς προαγωγέας τῶν λημμάτων τῆς ἀρχῆς, οἱ δομestikοὶ καλοῦσι Ῥωμαῖοι.

⁵ C. J. 12, 37, 19, 4.

⁶ Proc., *B. V.*, p. 204 (Bonn), ἀρχοντες δὲ ἦσαν . . . καὶ Σολόμων ὃς τὴν Βελισαρίου ἐπερόπεσε στρατηγίαν (δομestikὸν τοῦτον καλοῦσι Ῥωμαῖοι).

⁷ Benjamin, *das Heer Justinians*, p. 26 on the *oikla*,

⁸ *N. D. or.* pp. 11, 18, 19, 23, 27.

Again, in common with most of the other high officials the Masters were accorded exemption from furnishing recruits or horses for the army from their estates.¹ Since many of these officers were large proprietors this privilege was of great value to themselves and also of advantage to the tenants on their domains.

The Official Career of the *Magistri Militum*.

The *magistri militum* were naturally promoted from among the military officers of lower rank. In the fourth century their regular *cursus honorum* seems to have been *tribunus*, *dux* or *comes*, *magister militum*.² Sometimes, however, the Masters were advanced directly from the tribunate without any intervening step.³ Under Justinian the principle remained the same and the Masters were regularly promoted from among the *duces*.⁴ The rôle played by barbarian princes in the guise of *magistri militum* belongs to the general history of the times and need not be enlarged upon here.

The chief phases in the history of the office of *magister militum* may be summed up in the following manner. The *magistri militum* were the outcome of an effort to separate the military from the civil authority and, by creating a sort of balance of power among the highest officials in the state, to check the aspirations of rivals for the imperial power. At first there were but two such Masters, one the commander-in-chief of the infantry and the other of the cavalry. Then, with the epoch of two emperors the number of Masters was doubled, and a change took place in the nature of their office whereby they received the command over both branches of the service. This resulted in a

¹ C. Th. II, 18, 1, 409.

² E. g., Aequitius, *tribunus* (Amm. 26, 1, 4), *comes* (26, 5, 3), *magister* (26, 7, 11); Arintheus, *tribunus* (15, 4, 10), *dux* (24, 1, 2), *magister* (26, 5, 2), *magister peditum* (27, 5, 4); Dagalaifus, *comes* (21, 8, 1), *magister* (26, 1, 6); Julius, *comes* (26, 7, 5), *magister* (31, 16, 18); Lucillianus, *comes* (14, 11, 14), *magister* (21, 9, 5); Theodosius, *tribunus*, *dux* (27, 8, 3), *magister* (28, 5, 15); Trianus, *comes* (29, 1, 2), *magister* (29, 5, 1).

³ Agilo, *tribunus* (Amm. 14, 10, 8; 20, 5, 2), *magister* (*id.*); Silvanus, *tribunus*, (15, 5), *magister* (22, 3, 11). From Amm. 16, 6, 1, *Arbitio, a gregario ad magnum militiae rectus* (*magister*, 14, 11, 2), one is not to infer that Arbitio was promoted from the ranks to the mastership without any intervening grades.

⁴ Müller, *Philologus*, 1912, p. 105.

corresponding change in their title so that they were no longer *magistri peditum* or *equitum* but *magistri militum*. At the same time, the number of the Masters was increased and a definite district was assigned to each for his command so that any one Master could no longer exercise his authority throughout the whole empire. However, the political and military situation enabled the holders of one of the masterships in the West to absorb or overshadow the power of their colleagues, and thus arose a series of "kingmakers" which ended only when a Master ascended the throne in the person of Theodoric. Attempts to bring about a similar change in the relations of the eastern Masters were made, notably by Aspar the Alan, but remained unsuccessful. In this half of the Roman world the final stage in the history of the office was reached when, either through a reunion of the civil and military power the character of the mastership was again changed and consequently a new title therefor adopted, as in Italy and Africa, or by a division of the commands of the Masters into smaller districts called themes, under officers called Strategoi, as in the more easterly provinces of the Empire, the masterships were finally abolished.

Thus we see that the creation of this office was an experiment fatal to the Roman power in the West, where, instead of putting a check upon the appearance of pretenders to the throne, it facilitated the rise of new ones before whom the Empire finally succumbed. And in the East this system in the end showed itself incapable of meeting the military requirements of the wars against the barbarian invaders. It gave place to one which removed the endless conflicts of power necessarily arising from the contact of civil and military officials who had the same rank and were mutually dependent upon each other for the successful performance of their duties.¹

RECAPITULATION

We have now seen how the title of Master was adopted for military, as well as civil, officials of the Empire. However, during the period of the Principate it was confined to various subaltern officers, none of whom ranked higher than a centurion. Even in the Later Empire the title never obtained in military circles the wide-spread usage that was

¹ Cf. Gelzer, *Themenverfassung*, p. 7.

given to it in the civil departments, being chiefly confined to a small group of high officers with similar rank and functions. Between the titles of these earlier and later Masters there seems to have been no connection, but apparently a conscious revival of the name of an old republican office was effected. Further, as the title of the *magistri militum* was translated and not, as that of the Master of the Offices, transcribed into Greek, it ceased to exist in the Byzantine Empire. However, in the West, after the disappearance of the old office of *magister militum*, it continued in use, denoting the commanders of the military forces in Italian cities and districts, who, however, have not been considered, as they appeared later than the period with which this study deals.

The history of the use of the title Master as an imperial official designation has thus been traced in connection with the discussion of the masterships in the civil and military service respectively. On the basis of this examination of the masterships it seems impossible to formulate any principle which in specific cases can be said to have determined the employment of this title. The general adaptability of the word *magister* to denote any one who had the control over some administrative or executive department, in which he exercised authority over a larger or smaller number of subordinates, alone accounts for its wide-spread use as a title in imperial official circles.

AN INDEX TO THE INSCRIPTIONS RECORDING *MAGISTRI* IN
THE CIVIL AND MILITARY SERVICE OF THE EMPIRE

I. — *Magistri* IN THE IMPERIAL CIVIL SERVICE

Magister XX Hereditatium. — Wilmanns, *Exempla Inscriptionum Latinarum*, 1293,
Lugdunum.

Promagister XX Hereditatium. — *CIL.* 6, 1620, Rome.
8, 20,684, Saldæ, Mauretania.
9, 5835, 5836, Auximum.
11, 1326, Luna.

Promagister Hereditatium. — *CIL.* 13, 1810, Lugdunum.

Promagister Frumenti Mancipalis, Promagister Portuum. — *CIL.* 3, 14,195, nos.
4-13 Ephesus.

Magister Privatae. — *CIL.* 3, 12,043, 12,044 (= 13,059), Crete, 314 A.D.
5, 2781, Patavium.
6, 1630, Rome.
8, 822, Turca.

Magister Privatae Egypti et Libyae. — *CIL.* 3, 18, Alexandria.

Magister Summarum Rationum. — *CIL.* 8, 822, Turca = *Bulletin du Comité*, 1893,
p. 214.
6, 1618, Rome.

Magister Memoriae. — *CIL.* 6, 570, 376 A.D.; 1764; 8621; Rome.
12, 1524, Ager Vocontiorum.

Magister Epistularum. — *CIL.* 6, 570, Rome.
Ephemeris Epigraphica, 7, 262, Thubursicum Bure, Africa
Proconsularis.

Magister Libellorum. — *CIL.* 6, 570, 1628, Rome.
10, 4721, Ager Falerinus.

Magister Sacrarum Cognitionum. — *CIL.* 5, 8972, Aquileia.
6, 570, Rome.

Magister Studiorum. — *CIL.* 6, 1608, 1704, 8638, Rome.
10, 4721, Ager Falerinus.

Magister Officiorum. — *CIL.* 8, 989, Missua.

Magister Admissionum. — *CIL.* 14, 3457, Sublaqueum.

Magister Portorii (?) or *Pretorii* (?) — Cagnat, *Inscriptiones Graecae ad res Romanas
pertinentes*, 3, 1229.

II. — *Magistri* IN THE MILITARY SERVICE OF THE EMPIRE

Magister Ballistorius. — *CIL.* 5, 6632, Ager Novariensis.

Magister Cohortis. — *CIL.* 3, 10, 307, Intercisa.

Magister Equitum. — *CIL.* 5, 8278, Aquileia.

Magister Kampi (?). — *CIL.* 8, 2562, Lambaesis, *aet. Alex. Sev.*

Magister Numeri. — *CIL.* 8, 21,568, Mauretania Caesarensis.

Magister Castri (?). — *CIL.* 7, 268, Isurium.

8, 4354, 678–682 A.D., Numidia.

Magister Militum. — *CIL.* 2, 4320, 589–590 A.D., Carthago Nova.

3, 88, 371 A.D., Arabia Petra.

3, 3653, 371, A.D., Salva, Pannonia.

3, 4668, 4669, 4670, Carnutum.

3, 56700, 370 A.D., Fafina, Noricum.

3, 6399, Salona, Dalmatia.

3, 10,596, Pannonia Inferior.

3, 11,376, Carnutum.

5, 8120, 3, Cremona.

5, 8120, 4, c. 525 A.D., Milan.

6, 1188, 1189, 1190, 1731, 1732, 1734, 31,914. Nos.

1731–1734, 405–408 A.D., Rome.

6, 32,050, 589 A.D., Rome.

8, 101, *aet. Justiniani*, Capsa.

8, 259, *id.* Sufes.

8, 1863, *id.* Therveste.

8, 4354, 578–582 A.D., Ain Ksar, Numidia.

8, 4677, *aet. Just.* Madura.

8, 4799, *id.* Gadianfala.

9, 4051, 398–408 A.D., Carseoli.

Dessau, *Inscriptiones Latinae Selectae*, 92170, b, Rusguniae, Mauretania.

NOTES ON THE FOURTH AND FIFTH CENTURIES

BY GEORGE W. ROBINSON

THE LIBRARIAN OF JULIAN THE APOSTATE

JULIAN, *Epistola ad S. P. Q. Atheniensem*, p. 277 B, C.:
μόλις ἠδυνήθην οἰκέτας ἑμαντοῦ τέτταρας, παιδάρια μὲν δύο κομιδῇ
μικρά, δύο δὲ μελζοντας, εἰς τὴν αὐλήν οἰκειότερόν με θεραπεύσοντας εἰσα-
γαγεῖν, ὧν εἰς μοι μόνος καὶ τὰ πρὸς θεοὺς συνειδῶς καὶ ὡς ἐνεδέχετο λάθρα
συμπράττων· ἐπεπίστευτο δὲ τῶν βιβλίων μου τὴν φυλακὴν, ὧν μόνος τῶν
ἐμοὶ πολλῶν ἑταίρων καὶ φίλων πιστῶν, εἰς λατρός, ὅς καὶ, ὅτι φίλος ὧν
ἐλελήθει, συναπεδήμησεν.

English translation by Wilmer Cave Wright, ii (London, 1913), p. 265: "Only with difficulty was I able to bring with me to court four of my own domestics for my personal service, two of them mere boys and two older men, of whom only one knew of my attitude to the gods, and, as far as he was able, secretly joined me in their worship. I had entrusted with the care of my books, since he was the only one with me of many loyal comrades and friends, a certain physician who had been allowed to leave home with me because it was not known that he was my friend."

Εἰς and εἰς are correlatives, and mean "the one . . . the one," or, as we should commonly say in English, "the one . . . the other." There is no warrant for translating the second εἰς by "a certain," or any, except wrong precedent, for supposing that any of the words which precede go with it rather than with the first εἰς. We may then restore the sense of the passage by rendering ". . . of whom only one knew of my attitude to the gods, and, so far as was possible, secretly joined me in their worship. I had entrusted him with the care of my books, since he was the only one with me of many loyal comrades and friends.¹ The other was a physician, who," etc.

¹ The awkwardness of the vulgate Greek text at this point is very evident.
(1) As it stands, we must supply some such idea as "with me" in order to make

A comparison with Eunapius, *Vitae Sophistarum*, pp. 54,¹ 104,² makes it clear that the two men were Evemerus the African, and Oribasius of Pergamum, the celebrated physician.

Dionysius Petavius,³ who first edited and translated into Latin the Letter to the Athenians, divides the sentence justly between the librarian and the physician.⁴ His Latin version, based in part on the conjectural emendation πιστός for πιστών, is retained in Ezekiel Spanheim's folio edition of 1696, though the emendation disappears.⁵ Petavius names Oribasius as the physician.⁶ In this he has been followed without question by succeeding scholars, including Mrs. Wright.⁷

The indefatigable Tillemont was the first, so far as I have noted, to suggest the identification of the librarian as Evemerus;⁸ which has, I think, never since been disputed, until the appearance of Mrs. Wright's translation. Certainly it has been accepted by de la Bleterie,⁹ Duncombe,¹⁰ and Gaetano Negri.¹¹

I have spoken of the wrong precedent that may have helped to mislead Mrs. Wright. There is a principle which, for want of a

sense. (2) πιστών must be used either in an active or in a passive sense. It must mean either 'loyal' or 'trusted.' In the former case there is a contradiction of what follows: the physician was loyal. In the latter case there is a contradiction of what precedes, since it is expressly stated that the librarian was Julian's only confidant. All these difficulties are avoided if, following Petavius, we read πιστός for πιστών: "since he was my only confidant among my many comrades and friends."

¹ *Vita Maximi*: Ταῦτα δὲ συνήδεσαν Ὀρειβάσιος ἐκ τοῦ Περγάμου, καὶ τις τῶν ἐκ Λιβύης, ἦν Ἀφρικὴν καλοῦσι Ῥωμαῖοι κατὰ τὸ πάτριον τῆς γλώττης, Ἐδήμερος. The reference is to a somewhat later period, when Oribasius also had been admitted to the secret.

² *Vita Oribasii*: Ἰουλιανὸς μὲν αὐτὸν εἰς τὸν Καίσαρα προῶν συνήρπασεν ἐπὶ τῇ τέχνῃ.

³ Denis Petau (1583-1652).

⁴ Julian, *Opera* (Parisii, 1630), i, p. 509.

⁵ Julian, *Opera* (Lipsiae, 1696), p. 277.

⁶ Ed. of 1630, ii, p. 416.

⁷ Julian, ii, p. 265, n. 2.

⁸ *Histoire des Empereurs*, iv (Brussels, 1732), p. 204.

⁹ *Vie de l'Empereur Julien* (Paris, 1746), p. 91.

¹⁰ John Duncombe, *The Works of the Emperor Julian, translated from the Greek, with Notes* (London, 1798), i, p. 78.

¹¹ *L'Imperatore Giuliano l'Apostata* (2d ed., Milan, 1902), pp. 50, n. 1, 72.

better term, may be called the historiographic force of gravitation, which attracts, to the more important or more conspicuous historic character, material that properly belongs to his obscurer neighbor. Now Oribasius is a comparatively well-known personage; we have his biography, written by Eunapius,¹ and considerable remains of his writings have survived.² Evemerus, on the other hand, is known only from this passage, in which his name does not occur, and the few lines in Eunapius.³ Accordingly, though the French version of Tourlet follows Petavius strictly,⁴ we are not surprised to find Duncombe in his English version transferring the *ὡν μὲν* clause from Evemerus to Oribasius.⁵ Negri does the same in his Italian translation of the passage.⁶ It is perhaps no more than natural that Mrs. Wright, yielding a little more unreservedly to the same force, should take even the care of the books away from the librarian and assign it to the physician: making quite complete the victory of the latter, who is in Julian's original narrative much the less conspicuous of the two; and driving the former to the inmost recesses of the sentence, to potter furtively among his incense jars.

It is curious to note that this force of gravitation, elsewhere so injurious to Evemerus, actually has worked in his favor in the English translation of Negri's *Julian* by the Duchess Litta-Visconti-Arese.⁷ Negri refers twice to Evemerus, terming him on the one

¹ In the *Vitae Sophistarum*.

² The edition by Bussemaker and Daremberg (Paris, 1851-76, 6 vols.) occupies nearly half a library shelf.

³ He is left unmentioned in Dr. Smith's *Dictionary of Greek and Roman Biography*, and even in the latest edition of Pauly-Wissowa's *Real-Encyclopädie der classischen Altertumswissenschaft*.

⁴ R. Tourlet, *Oeuvres Complètes de l'Empereur Julien, traduites du Grec en Français* (Paris, 1821), ii, p. 257.

⁵ Duncombe, i, p. 78: "The other, who of my many friends and companions alone was faithful was my physician." In his note Duncombe lightly brushes aside the authority of Petavius, whose knowledge of Greek was to his own as the forest to a bundle of fagots. "The elogium of 'singular fidelity' is applied by the Latin translator to the librarian. The original, I think, warrants my applying it, as is more probable, to the physician."

⁶ *L'Imperatore Giuliano* (2d ed.), p. 50.

⁷ *Julian the Apostate* (New York, 1905).

occasion, "il servo fedele,"¹ on the other, "il fido Evemero";² and the translator has been unconsciously influenced to use his name also in a third place, where she renders "Ma Giuliano lo seppe prevenire, mandando a Milano il suo fidato Euterio,"³ by "But Julian, foreseeing this, sent to Milan his faithful Evemerus."⁴

AUSONIUS AND ARISTIPPUS

Ausonius, *De Herediolo*, vv. 11-14:

Ex animo rem stare aequum puto, non animum ex re.
Cuncta cupit Croesus, Diogenes nihilum:
Spargit Aristippus mediis in Syrtibus aurum,
Aurea non satis est Lydia tota Midæe.

Schenkl⁵ *ad loc.*, and Peiper,⁶ under *Auctores et Imitatores*, both refer to Horace, *Satiræ*, ii, 3, vv. 99-102:⁷

Quid simile isti
Graecus Aristippus? Qui servos proicere aurum
In media iussit Libya, quia tardius irent,
Propter onus segnes.

In this they merely follow the note of Souchay in the Delphine edition,⁸ who adds, "quem locum imitatus est hic Ausonius, pro media Libya, medias Syrtes ponens, quæ sunt duo Africae sinus arenosi."

It is, however, unnecessary to accuse Ausonius of poetic license here; since, as a matter of fact, there are two distinct anecdotes related concerning Aristippus and his disregard for gold, and of these Horace has in mind the one, Ausonius the other. The two stories are given by Diogenes Laertius in his *Life of Aristippus*,⁹

¹ *Giuliano*, p. 50, n. 1.

² *Ibid.*, p. 72.

³ *Ibid.*, p. 56. This is from Ammianus, xvi, 7, 2: "Ideoque cum discederet [Marcellus], Eutherus praepositus cubiculi mittitur statim post eum siquid finxerit convicturus."

⁴ *Julian the Apostate*, p. 67.

⁵ Berolini, 1883. In *Monumenta Germaniae Historica*, Auctores Antiquissimi, v, 2.

⁶ Lipsiae, 1886.

⁷ They quote the passage only in part.

⁸ Parisiis, 1730.

⁹ *Vitæ Philosophorum*, ii, 77.

as follows: τοῦ θεράποντος ἐν ὁδῷ βαστάζοντος ἀργύριον, καὶ βαρυνόμενον (ὥς φασιν οἱ περὶ τὸν Βίωνα ἐν ταῖς διατριβαῖς), Ἀπόχεε, ἔφη, τὸ πλεον, καὶ ὅσον δύνασαι βάσταζε. So far, the Horatian anecdote. Now the Ausonian: πλεον ποτέ ἐπεὶ τὸ σκάφος ἔγνω πειρατικόν, λαβὼν τὸ χρυσίον ἥριθμει· ἔπειτα εἰς θάλατταν ὥς μὴ θέλων παρακατέβαλε, καὶ δῆθεν ἀνῶμωξεν. οἱ δὲ καὶ ἐπειπεῖν φασιν αὐτόν, 'Ὡς ἄμεινον ταῦτα ὑπ' Ἀριστίππου, ἢ διὰ ταῦτα Ἀριστίππον ἀπολέσθαι. Suidas¹ likewise relates both anecdotes, the second in the following form: ἐπιβουλεύμενος δὲ ἐν πλῶ διὰ ἐπήγετο, εἰς τὴν θάλασσαν ἐξέβαλεν αὐτά. Ἡ γὰρ τούτων, ἔφη, ἀπώλεια ἐμοὶ σωτηρία. It will be noted that in each case the Latin poet has localized the event to which he has referred. This is presumably to be explained by his knowledge of details that have not been otherwise preserved. In any case the mention of Libya and the Syrtes is most natural in the case of Aristippus, who was a Cyrenean.

Elias Vinetus,² in his note on the passage, quotes both Diogenes Laertius and Horace. He overlooks, however, the fact that two distinct anecdotes are involved, and says, "Videtur ergo Horatium imitatus Ausonius, et pro media Lybia, medias Syrtes dixisse." Tollius in his edition³ quotes the note of Vinetus entire. Souchay, attempting to condense, preserves Vinetus's mistake with the unerring instinct of his type, but omits the passage of Diogenes Laertius, from which any reader might at a glance have rectified the error for himself. Schenkl and Peiper blindly follow Souchay.

ANNONA GALLICA

Claudian, *In Eutropium*, i, vv. 401-409 (Rome speaks to Honorius):

Quae suscepta fames, quantum discriminis urbi,
 Nī tua vel soceri numquam non provida virtus
 Australem Arctois pensasset frugibus annum.
 Invectae Rhodani Tiberina per ostia classes
 Cinyphisque ferax Araris successit aristis.
 Teutonicus vomer Pyrenaeique iuveni
 Sudavere mihi; segetes mirantur Hiberas
 Horrea; nec Libyae senserunt damna rebellis
 Iam transalpina contenti messe Quirites.

¹ S. v. Ἀριστίππος.

² Burdigalae, 1575.

³ Amstelodami, 1671.

Idem, *De Consulatu Stilichonis*, ii, vv. 390–396 (The same speaks to Stilicho):

Splendida suscipiant alium te rostra Camillum,
 Ultorem videant servatoremque Quirites,
 Et populus, quem ductor ames: quibus Africa per te
 Nec prius auditas Rhodanus iam donat aristas,
 Ut mihi vel Massyla Ceres, vel Gallica prosit
 Fertilitas, messesque vehat nunc umidus Auster,
 Nunc Aquilo: cunctis ditescant horrea ventis.

Idem, *ibid.*, iii, vv. 89–98:

Nil perdit decoris prisci nec libera quaerit
 Saecula, cum donet fasces, cum proelia mandet;
 Seque etiam crevisse videt. Quis Gallica rura,
 Quis meminit Latio Senonum servisse ligones?
 Aut quibus exemplis fecunda Thybris ab Arcto
 Vexit Lingonico sudatas vomere messes?
 Illa seges non auxilium modo praebuit urbi,
 Sed fuit indicio, quantum tibi, Roma, liceret;
 Admonuit dominae gentes instarque tropaei
 Rettulit ignotum gelidis vectigal ab oris.

Sidonius Apollinaris, *Epistolae*, vi, 12 (to Patiens, bishop of Lyons):
 . . . post Gothicam depopulationem, post segetes incendio absumptas, peculiari sumptu inopiae communi per desolatas Gallias gratuita frumenta misisti, cum tabescentibus fame populis nimium contulisses, si commercio fuisset species ista, non muneri. Vidi-
 mus angustas tuis frugibus vias; vidimus per Araris et Rhodani ripas non unum, quod unus impleveras, horreum. (*Mention is made of Triptolemus and his two grain ships.*) Tu, ut de mediterranea taceam largitate, victum civitatibus Tyrrheni maris erogaturus granariis tuis duo potius flumina quam duo navigia complesti.
 . . . Quapropter, etsi ad integrum conicere non possum, quantas tibi gratias Arelatensis, Regensis, Avenniocus, Arausionensis quoque et Albensis, Valentinaeque nec non et Tricastinae urbis possessor exsolvat, quia difficile est eorum ex asse vota metiri, quibus noveris alimoniam sine asse collatam, Arverni tamen oppidi ego nomine uberes perquam gratias ago, cui ut succurrere meditarere, non te communio provinciae, non proximitas civitatis, non opportunitas fluvii, non oblatio pretii adduxit Per omnem fertur Aquitaniam gloria tua.

After the establishment of the Eastern capital at Constantinople and the diversion thither of the corn of Egypt, the city of Rome was dependent upon Africa for her grain supply.¹ The three passages from Claudian refer to the winter of 397-98, when the revolt of Gildo in Africa deprived the city of the accustomed provision, and made it necessary to seek grain from new sources.² The dependence of Rome upon Gallic corn was limited, at least for the time, to a single winter. Gildo was overthrown in the spring of 398, and Africa returned to obedience.³

The letter of Apollinaris Sidonius relates to the winter of 474-75.⁴ Auvergne,⁵ Provence,⁶ and the lower Rhone valley,⁷ reduced to famine by the depredations of the Visigoths in the previous summer,⁸ were supplied with grain through the efforts and at the expense⁹ of Patiens, bishop of Lugdunum, or Lyons.

These passages afford highly interesting evidence as to the ancient movement of Gallic grain in large quantities and for long distances. In 397-98 the districts tapped were the same that in modern times have been the centres of the French wholesale supply.¹⁰ The upper Saône valley and the districts immediately to the north¹¹ — corresponding to northern Burgundy and Bas-

¹ Claudian, *De Bello Gildonico*, i, vv. 60-63:

Cum subiit par Roma mihi divisaque sumpsit
Aequales Aurora togas, Aegyptia rura
In partem cessere novae. Spes unica nobis
Restabat Libyae, quae vix aegreque fovebat.

² Claudian, *De Bello Gildonico*; J. H. E. Crees, *Claudian as an Historical Authority* (Cambridge, England, 1908), pp. 81-93.

³ *De Bello Gildonico*, i, v. 16:

Quem veniens indixit hiems, ver perculit hostem.

⁴ T. H. Hodgkin, *Italy and her Invaders*, ii, 2d ed. (Oxford, 1892), p. 488.

⁵ *Arverni oppidum*.

⁶ *Civitates Tyrrheni maris*; Arelate (Arles); Reii (Riez).

⁷ Avenio (Avignon), Arausio (Orange), Alba Augusta (Aps, in Ardèche), Valentia (Valence), Augusta Tricastinorum (Saint-Paul-Trois-Châteaux).

⁸ *post Gothicam depopulationem, post segetes incendio absumptas*.

⁹ *peculiari sumptu*.

¹⁰ See A. P. Usher's *History of the Grain Trade in France* (1913), with the maps (frontispiece and opposite p. 136).

¹¹ *ferax Araris*; *Teutonicus vomer* (this, if it is more than a hyperbole, refers to the Gallic province of Upper Germany, which appears to have extended west of

signy — and the Seine valley¹ are plainly indicated. The former of these areas was utilized also in 474-75;² as to the latter we have no indication. At both times the rivers, the Rhone and the Saône (Araris), were the great arteries of transportation.³

A comparison of these passages with Dr. Abbott Payson Usher's recent monograph, *The History of the Grain Trade in France: 1400-1710* (Cambridge, 1913), suggests the inquiry, whether the use of the Saône and Rhone for grain transportation in mediaeval times may not have been considerable. Dr. Usher's investigations in the Lyons archives show, indeed, that Lyons itself controlled no wholesale water-borne trade even in the early part of the fifteenth century.⁴ He traces at length⁵ the slow and toilsome development of the Lyons grain trade, which, though definitely established by 1489,⁶ attained no large development, so far as Burgundy was concerned, until half a century later.⁷ Dr. Usher notes, however, that in 1527 and 1528 Burgundian grain went down the Rhone destined for Arles, for Genoa, and for the Grand Master of Rhodes,⁸ and that such shipments were not infrequent phenomena.⁹ It is, then, a question whether the important Burgundian wholesale trade of the sixteenth century may not have been as much a survival as a development.

AN INCONSISTENCY IN HISTORICAL CARTOGRAPHY

Theodoret, *Graecarum Affectionum Curatio*, ix, 14: οὐτε γὰρ Αἰθίοπες οἱ Θηβῶν τῶν Αἰγυπτίων ὁμοτέρμονες οὐτε τὰ πάμπολλα φύλα τοῦ Ἰσμαήλ, οὐ Λαῖοι, οὐ Σάννοι, οὐκ Ἀβασγοί, οὐχ οἱ ἄλλοι βάρβαροι, ὅσοι τὴν Ῥωμαίων ἀσπάζονται δεσποτεῖαν, κατὰ τοὺς Ῥωμαίων νόμους τὰ πρὸς ἀλλήλους ποιοῦνται ξυμβόλαια.

the Saône and to have included the territory of the Lingones); *Lingonico sudatas vomere messes*.

¹ *Senonum ligones*.

² *Araris ripas*.

³ In 397-98: *Rhodani classes; Rhodanus donat aristas; ferox Araris*. In 474-75: *per Araris et Rhodani ripas; duo potius flumina quam duo navigia complesti*. In 474-75 the overland carriage to Auvergne is mentioned as enhancing the difficulty of Patiens's task: *non opportunitas fluvii*. Sidonius affords no support to Dr. Hodgkin's conjecture that the Loire also was utilized.

⁴ *Grain Trade in France*, p. 127.

⁵ *Ibid.*, pp. 126-179.

⁶ *Ibid.*, p. 134.

⁷ *Ibid.*, pp. 138-144.

⁸ *Ibid.*, p. 139.

⁹ *Ibid.*

As a link in the chain of a theological argument, the remainder of which does not now concern us, Theodoret has given this interesting, though partial, list of the client states of Rome in the fifth century. The Ethiopians of the newer Meroë, where the vast remains of the Roman period still promise inexhaustible treasures to the archaeologist; the Arabs, or Saracens, of Arabia Petraea and the desert border of Syria, whose lightly-worn allegiance at least served to counterbalance the power of those of their kinsmen who professed an equally easy fealty to the King of Kings at Ctesiphon; the Lazi, warders of the Caucasian Gates against the dreaded hordes of the steppes; the Sanni or Tzani, on the confines of Armenia and Pontus, and the Abasgi, northern neighbors of the Lazi on the Euxine coast: to these Theodoret might well have added the Roman Armenia, the cities of the Tauric Chersonese, and other possessions in various quarters.

It is unfortunate that the maps of the later Roman Empire in atlases and histories, with few and slight exceptions, disregard this important girdle of subject states, and mark as Roman only the territory included within the formal boundaries of the prefectures, dioceses, and provinces. This is not in accordance with the practice in the maps of the Republic and the early Empire, where the client states are commonly indicated with a good degree of exactitude. The inconsistency is regrettable, and is particularly calculated to give a wrong impression to the ordinary student of ancient history, who in most cases can afford to devote only a moderate amount of time to his studies in the later period.

SUMMARIES OF DISSERTATIONS FOR THE DEGREE
OF PH.D., 1914-15

ARISTIDES EVANGELUS PHOUTRIDES. — *De Choro Euripideo*

THE first part of the thesis is devoted mainly to the defence of the Euripidean chorus against the four common accusations: (1) that it is shorter than the chorus of the other tragic poets, (2) that its part in the dialogue is minimized, (3) that the odes are more or less irrelevant to the plot and to the action of the drama, and (4) that the decline of the Euripidean chorus corresponds to the advancing age of the poet. The first accusation I try to disprove by statistical tables showing the numbers of verses given by each tragic poet to the chorus and their proportion to the numbers of verses contained by the entire plays. Against the second accusation, I point out the importance of choral dialogue in Euripidean plays and explain psychologically the apparent reticence of some of the choruses. In the third chapter, I defend such stasima as have been most severely criticised by proving them psychologically and dramatically correct. Finally, by comparing the various plays chronologically, I conclude that such a thing as a gradual decline is not traceable in the Euripidean chorus.

The second part of the thesis is devoted to actual description of characteristics of the Euripidean chorus. I discuss its religious significance and try to prove that the chorus in Euripides is not the mouthpiece of the poet but of the populace, a populace that is undoubtedly religious, but likewise restless and passionate; most pious in its tranquil moments, it cannot help giving vent to impious utterances under the strain of an absorbing emotion, although it is incapable of feeling the weight of disinterested philosophical thought.

Since the thoughts of the populace do not coincide with those of the poet, Euripides satisfies himself by a portrayal of the *vulgus profanum* through his choruses, and he does this without satire or bitterness but with sympathy and compassion. To increase the weight of the chorus, which has naturally suffered when it ceased to

be a religious and ethical master, Euripides has intensified its human side and made it appeal to emotion rather than to reason. On the other hand, he has not only not diminished the part which the chorus takes in the action, but, on the contrary, he has intensified it, and in physical action he has gone even farther than his predecessors.

After a short discussion of a few technical points such as the double chorus, the *parodos*, the *epiparos*, the *exodos*, and the *commos*, I give a great deal of attention to the question of the *hyporcheme*. The confusion of opinions about this subject made it necessary to collect all the statements I could find in antiquity about the *hyporcheme*. After a careful consideration of these, I have come to the following conclusions: (1) There are three kinds of *hyporcheme*: (a) earnest and religious; (b) joyful but sombre; (c) light and satyric. All three have the common characteristics of liveliness, imitativeness, and restlessness. (2) There are *hyporchemes* in tragedy. (3) *Hyporchemes* are found not only in Sophocles but in Aeschylus and Euripides. (4) Euripides seems to have been a great master of the *hyporcheme*; he has created choruses whose whole character is hyporchematic. Especially the "Bacchae," the "Rhesus," and the "Cyclops" stand out as such. In the first, we have the earnest, religious, and orgiastic *hyporcheme*. In the second, we find the only example of hyporchematic pyrrhic dances. The last contains specimens of hyporchematic *sikinnis*.

My general conclusion is that Euripides, far from contributing to the degeneracy of the chorus as a tragic factor, has successfully endeavored to keep its prestige and power and to give it a final but nevertheless glorious splendor.

WILLIAM FRANK WYATT. — *De Scripturae Hibernicae Fontibus*

THE object of this dissertation is to discover, if possible, the character of the script or scripts that served as the models upon which rests the whole development of writing by Irish scribes. The study proceeds upon the hypothesis that, whatever may have been the origin and source of the peculiarly distinctive writing of Ireland, these must of necessity be revealed by a careful examination of the principal monuments of Irish writing. There are four natural divisions

of the subject; *Letter Forms, Ligatures, Initials, Abbreviations*. These with the Introduction form the five parts of the dissertation.

INTRODUCTION

There are two divisions of Irish script the Round (ornamented book hand), and the Pointed (or cursive). The opinion of most scholars that the Roman semi-uncial was the sole basis of Irish script must be reconsidered. The character of the two divisions is such that we cannot regard one as the basis of the other, but rather both as derived from a common source; the one (the pointed) developing with little change from outside influences, the other (the round) much influenced by what we may call semi-uncial; the one thus preserving clear marks of its origin, the other having polished away all but a few of the most distinctive of the peculiarities of the original basic script.

External reasons lead to the belief that the knowledge of writing came to Ireland in S. IV or S. V. The Roman scripts available during these centuries were, *cursive*, *uncial*, *semi-uncial* (imperfect) and *capital*. Of these we may exclude *uncial* and *capital* since they are to be considered, if at all, as influences only and not as sources. This study then, must consider particularly the Irish *pointed hand* and the Roman *cursive*.

The examination of MSS. was, for the most part, at first hand. Since the examples of early Roman cursive are comparatively few and very widely distributed, it was necessary to rely very largely on the various published fac-similes. Of these, by far the most useful was Wessely's *Schrift-tafeln zur älteren lat. Paläographie*.

CHAPTER I. DE LITTERIS SINGULARIBUS

From a careful study of individual letter forms, it is concluded that; the Irish received first the old Roman cursive (i. e., of before S. V); from this came directly the pointed hand, and under the influence of a kind of continental semi-uncial, the round which, though it laid aside nearly all of its cursive features, preserved, nevertheless, some very notable evidence of its cursive basis.

An incidental conclusion is that the continental book script first brought into Ireland was rather a mixed uncial than either uncial or semi-uncial.

CHAPTER II. DE LIGATURIS

This is by far the most convincing part of the study. The evidence supports very strongly the conclusions of the preceding chapter with reference to the relation of Irish script to Roman cursive, indicating very clearly that the Irish must have received the knowledge of writing during the fourth or at the very beginning of the fifth century.

CHAPTER III. DE LITTERIS INITIALIBUS

The evidence of this chapter concerns rather the character of the continental book script which first came to Ireland. The Irish initials show that the scribes in Ireland developed, for the most part, their own system; that since the Irish scribes preserve here and there a peculiar initial form or heading which must have belonged to their early models, we must conclude that they received the beginning of their system of initials from their continental sources; and that they did not know the script which we call semi-uncial, but a script that developed into it at a later time; that these models must have been taken to Ireland at least as early as the fifth century.

CHAPTER IV. DE VERBORUM COMPENDIIS

The evidence of abbreviations is very difficult to sift. The conclusions are; the Irish early received a few *notae tironianae* and a number of the abbreviations belonging to the *notae iuris*; there were no additions to the *notae tironianae*; the *notae iuris*, however, formed the basis of an enormous development of abbreviations by Irish scribes. In this development it is notable that the principle of syllabic suspension plays scarcely any part — indeed it does not seem to have been known as a principle at all, but to have been used only when no other method was possible. This fact must mean that the Irish received the knowledge of a part of the *notae iuris* very early — at least as early as S. V (the principle was in use on the continent in S. VI) — and expanded their *corpus notarum* along the old lines.

An incidental conclusion is that the principle of syllabic suspension was entirely continental and originated in S. VI. There seems to be

a possibility that this system belonged particularly to Cassiodorus' library at Squillare in South Italy.

The total conclusions are:

That the knowledge of writing came to Ireland during S. IV;

That the first script known was the old Roman cursive;

That this was the basis of all Irish script;

That later, perhaps in S. V, books were bought written in a kind of mixed uncial or imperfect semi-uncial which were the models upon which the scribes based their own careful book script producing the Irish round hand;

That there were then two divisions of script, one for important books the other for every-day use;

That both branches developed between the fourth and seventh century;

That later, for various reasons, the art of writing the splendid script passed away and the more careless pointed hand became and remains the national script of Ireland;

That it was from these very early books that the Irish learned their few tironian notes and received the nucleus of their body of abbreviations;

That the Irish scribes had but few books as models; these they used freely and, for that reason, seem at once strangely conservative and strangely inventive.

GENERAL INDEX

- Abasgi, 173.
- Acharnenses*, analyzed for dramatic time, 16 sqq.
- Africa, 171.
- ἀ-γεω*, 8, n. 4.
- ἀγοραῖοι*, 18, n. 2.
- Annona Gallica, 169.
- ἀντιγραφὸς τῆς μνήμης*, 94.
- Arabs, 173.
- Aristippus, 168.
- Aristophanes, care of, to show gradual advance of time, 68 sqq.
- carelessness of, in treating dramatic time, 55.
- comic rapidity in, 56 sqq.
- indications in, of times at which plays begin or end, 70.
- intervals in the scene in, 67 sqq.
- methods used by, in handling intervals off the scene, 59 sqq.
- minor time indications in, 69 sqq.
- ἀριστον*, and related words in Aristophanes, 47, n. 1.
- Aristotle, on unity of time, 25.
- Athenian temple of Asclepius, 4, n. 4.
- Auvergne, 171.
- Aves*, analyzed for dramatic time, 46 sqq.
- Bassigny, 171, 172.
- ΒΟΑΚ, A. E. R., *The Roman Magistri in the Civil and Military Service of the Empire*, 73-164.
- Burgundy, 171.
- Choric songs, to cover intervals off the scene, 64.
- Chorus, in comedies of Aristophanes, 22 sqq.
- in relation to dramatic time, 20 sqq.
- CIL., inscriptions in, recording *Magistri* in civil and military service of Empire, 163-164.
- Client states of Rome in fifth century, 173.
- Compression of long actions off the scene, 52.
- Constantinople, 171.
- Dionysius Petavius, 166, 167.
- Ecclesiazusae*, analyzed for dramatic time, 34 sqq.
- Egypt, 171.
- ἔως* in Aristophanes, 12, n. 2.
- Equites*, analyzed for dramatic time, 25 sqq.
- Ethiopians, 173.
- Eunapius, 167.
- Eutherius, 168, n. 3.
- Evemerus the African, 166, 167.
- Famine of 474-475, 171.
- Gildo, 171.
- Historiographic force of gravitation, 167.
- ἵστος λόγος*, 81.
- Inconsistency in historical cartography, 172.

Lazi, 173.

Librarian of Julian the Apostate, 165.

Libya, 168, 169.

Lystrata, analyzed for dramatic time, 12 sqq.

Magister, 73 sqq.

Magister Admissionum, 110.

Magister Aeris sive Privatae Rei, 79, 84.

Magister Ballistarius, 115.

Magister Castri, 117.

Magister Censuum, 91, 103.

Magister Cohortis, 116.

Magister Dispositionum, 91, 99.

Magister Equitum, 116.

Magister XX hereditatum, 75.

Magister Kampi, 116.

Magister Libellorum, 91, 96.

Magister Memoriae, 91, 92.

Magister Militum as honorary title, 140 sqq.

Magister Militum Africae, 128.

Magister Militum Dalmatiae, 132.

Magister Militum per Armeniam, 130.

Magister Militum per Gallias, 125.

Magister Militum per Illyricum, 129.

Magister Militum per Orientem, 130.

Magister Militum per Thracias, 129.

Magister Militum Spaniae, 131.

Magister Numeri, 116.

Magister Peditum, 119, 120.

Magister Privatae, 79, 81, 86, 87.

Magister Privatae Aegypti et Libyae, 79, 81.

Magister Privatae Rei Africae, 79, 82.

Magister Sacrarum Cognitionum, 91, 97.

Magister Studiorum, 92, 108.

Magister summae rationis privatae, 80.

Magister Summarum Rationum, 86.

Magister utriusque militiæ, 123.

Magistri Epistularum Latinarum et Graecarum, 91, 94.

Magistri in praesenti, 122 sqq.

Magistri Lineae Vestis, 86, 87.

Magistri Militum, 117, 120.

bureaus of, 153.

Domestici of, 158.

further competence of, 151.

judicial powers and privileges of, 146.

military authority of, 143.

official career of, 160.

official rank of, 133.

privileges of, 159.

Magistri Militum Praesentiales, 131.

Magistri Militum, vacantes, honorarii, 149.

Magistri primi et secundi, 90.

Magistri Scriniarum, 91, 92.

Masters, engaged in administration of imperial finances, 74 sqq.

of the *Res Privata* in other Provinces, 83.

who were Chiefs of the Central Secretarial Bureaus, 91 sqq.

who were Military Officers of the Roman Empire, 115 sqq.

who were Officers of the *Domus Divina*, 89.

who were officials of the *Fiscus*, 85.

who were officials of the *Res Privata*, 79.

Nubes, analyzed for dramatic time, 8 sqq.

Old Comedy, different from Tragedy and New Comedy in treatment of time, 1 sqq.

Oribasius of Pergamum, 166, 167.

Origin of comedy, obscurity of, 21, n. 2.

δορπος in Aristophanes, 12, n. 2.

πάλαι, used καθ' ὑπερβολήν, 3, n. 3.

Parabases, 64.

Patiens, 171.

Pax, analyzed for dramatic time, 41 sqq.

Personae prototicae, 51.

- Plutus*, analyzed for dramatic time, 2 sqq.
Promagister, 113.
Promagister frumenti municipalis, 75, 77.
Promagister hereditatium, 75, 77.
Promagister XX hereditatium, 75, 76.
Promagister portuum, 75, 77.
πρόσκλησις, 10, n. 2.
 Provence, 171.

Ranae, analyzed for dramatic time, 39 sqq.
res privata, 80.
 Rhone, 172.
 ROBINSON, G. W., Notes on the Fourth and Fifth Centuries, 165-173.
 Rome, 171.

 Sanni, 173.
 Syrtes, 168, 169.
- Tauric Chersonese, 173.
τήμειρον, 9, n. 1.
 Time analysis of Aristophanes's comedies, 2 sqq.
θῦατα, 130.
Thesmophoriazusae, analyzed for dramatic time, 28 sqq.
 TODD, O. J., *Quo Modo Aristophanes Rem Temporalem in Fabulis Suis Tractaverit*, 1-71.

 Unity of time, devices for preserving, 50 sqq.
 not universal in either comedy or tragedy, 21.

Vespae, analyzed for dramatic time, 27 sqq.
 Visigoths, 171.

INDEX OF IMPORTANT CITATIONS

- Ammianus** (15, 5, 3), 93, n. 2; (15, 5, 18), 111, n. 6.
- Appian, *Bell. Civ.*** (3, 25, 94), 119, n. 4.
- Aristophanes,**
Ach. (19-21), 16; (201-2), 16, n. 3.
Aves (658-9), 47; (1274-5), 48; (1286-91), 48; (1300-3), 48; (1515 sq.), 49.
Ecccl. (82-5), 34; (834-52), 35; (877), 36; (934), 36.
Eq. (881-83) 25.
Lys. (13-15), 12; (327), 12; (764-6), 14; (865-9), 15; (880-1), 15; (995-1006), 15.
Nub. (16-17), 8; (510-626), 8; (1131-4), 9; (1148), 10; (1307), 10; (1311), 11.
Pax (1191-2), 44; (1316-17), 44.
Plut. (231-3), 3; (742-4), 5; (882), 6.
Ran. (108-14), 39; (136-7), 39; (505-7), 40; (509-11), 40; (517-8), 40; (785), 41.
Thes. (78-80), 28; (83-4), 30; (181-2), 31; (584-5), 31.
Vesp. (336-7), 27; (381), 27; (395), 27; (1476-9), 28.
- Aulus Gellius, *Noct. Att.*** (3, 16), 109, n. 9.
- Ausonius, *De Herediolo*** (11-14), 168.
- Cassiodorus, *Variae*** (5, 22), 103, n. 7.
- Claudian, *De Bell. Gild.*** (1, 60-63), 171, n. 1.
- Claudian, *De Cons. Stil.*** (2, 390-396), 170; (3, 89-98), 170.
- Claudian, *In Eutrop.*** (1, 401-409), 169.
- Diogenes Laertius, *Vit. Phil.*** (2, 77), 168.
- Eumenes, *pro inst. sch.*** (11), 93, n. 8.
- Eunapius, *Vit. Max.*** (p. 54), 166, n. 1;
Vit. Orib. (p. 104), 166, n. 2.
- Herodian** (5, 7, 7), 104, n. 9.
- Horace, *Sat.*** (3, 99-102), 168.
- Julian, *Ep. ad Ath.*** (p. 277 B, C), 165.
- Lydus, *de mag.*** (2, 30), 105, n. 8; (3, 40), 117, n. 6.
- Malchus** (fr. 16), 159, n. 4.
- Olympiodorus** (fr. 17), 159, n. 3.
- Seneca, *ad Polyb.*** (5, 2), 108, n. 9.
- Sidonius Apollinaris, *Ep.*** (6, 12), 170.
- Suetonius, *Claud.*** (28), 108, n. 9.
- Suidas** (s.v. 'Aπλωτάρως), 169.
- Symmachus, *Ep.*** (7, 60), 95, n. 4; *Rel.* (46, 2), 107, n. 4.
- Theodoret, *Graec. Aff. Cur.*** (9, 14), 172.
- Zosimus, *Hist.*** (2, 33), 117, n. 7; (4, 27), 120, n. 5.

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 Indexes. Plates.

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 Indexes.

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 Indexes.

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Indexes.

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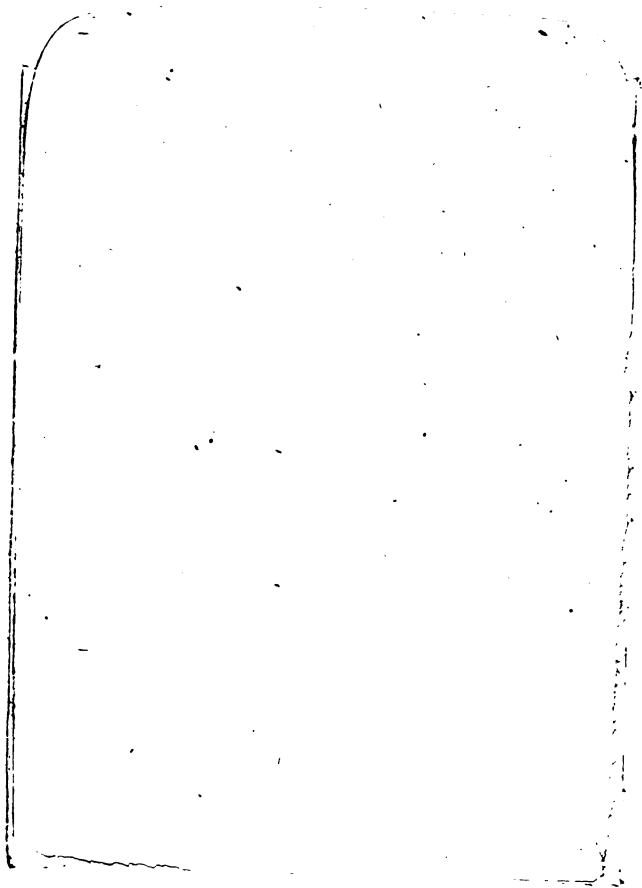
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Indexes.

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Indexes.

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